

THURSDAY, MAY 13, 2004

EIGHTY-NINTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by Reverend Dennis Wilson of Lynn Valley Baptist Church in Elizabethton, Tennessee, a guest of Senator Crowe.

PLEDGE OF ALLEGIANCE

Senator Burchett led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder—33.

STANDING COMMITTEE REPORTS

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 1043.

FORD, Chairperson
May 10, 2004

The Speaker announced that he had referred House Joint Resolution No. 1043 to Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 555 with amendment, 827, 1686 with amendment, 2167 with amendment, 2193, 2347, 2431 with amendment, 2473, 2628, 2794, 2810, 2922, 3364, 3390, 3393, 3410, 3413, 3428 with amendment, 3449 with amendment and 3478; and House Joint Resolutions Nos. 625, 837, 870, 926, 930 and 957.

HENRY, Chairperson
May 11, 2004

The Speaker announced that he had referred Senate Bills Nos. 555 with amendment, 827, 1686 with amendment, 2167 with amendment, 2193, 2347, 2431 with amendment, 2473, 2628, 2794, 2810, 2922, 3364, 3390, 3393, 3410, 3413, 3428 with amendment, 3449 with amendment and 3478; and House Joint Resolutions Nos. 625, 837, 870, 926, 930 and 957 to Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 3094 with amendment.

COHEN, Chairperson
May 11, 2004

The Speaker announced that he had referred Senate Bill No. 3094 with amendment to Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 282 with amendment, 586 with amendment, 1012 with amendment, 2228 with amendments, 2382 with amendment, 2395 with amendment, 2448 with amendments, 2589 with amendments, 2599 with amendment, 2734, 2811 with amendment, 2813 with amendment, 2850 with amendment, 2862 with amendment, 3031, 3034, 3180, 3203 and 3516; and Senate Joint Resolution No. 27 with amendment; also, recommend that Senate Bills Nos. 1697 with amendments, 2143 with amendments, 2245 with amendment, 2872 with amendment, 2929, 3041, 3182, 3295 with amendments, 3355 with amendment and 3365 be referred to Committee on Finance, Ways and Means.

PERSON, Chairperson
May 11, 2004

The Speaker announced that he had referred Senate Bills Nos. 282 with amendment, 586 with amendment, 1012 with amendment, 2228 with amendments, 2382 with amendment, 2395 with amendment, 2448 with amendments, 2589 with amendments, 2599 with amendment, 2734, 2811 with amendment, 2813 with amendment, 2850 with amendment, 2862 with amendment, 3031, 3034, 3180, 3203 and 3516; and Senate Joint Resolution No. 27 with amendment to Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1697 with amendments, 2143 with amendments, 2245 with amendment, 2872 with amendment, 2929, 3041, 3182, 3295 with amendments, 3355 with amendment and 3365 to Committee on Finance, Ways and Means.

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2312 with amendment.

FORD, Chairperson
May 11, 2004

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The Speaker announced that he had referred Senate Bill No. 2312 with amendment to Committee on Calendar.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1364, 2206 with amendment, 2987, 3017 with amendment, 3077 with amendment and 3395; Senate Joint Resolution No. 1021; and House Joint Resolution No. 1006; also, recommend that Senate Bill No. 2261 with amendment; and Senate Joint Resolution No. 1004 be referred to Committee on Finance, Ways and Means.

McNALLY, Chairperson
May 12, 2004

The Speaker announced that he had referred Senate Bills Nos. 1364, 2206 with amendment, 2987, 3017 with amendment, 3077 with amendment and 3395; Senate Joint Resolution No. 1021; and House Joint Resolution No. 1006 to Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2261 with amendment; and Senate Joint Resolution No. 1004 to Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1482 and 2915.

HARPER, Chairperson
May 12, 2004

The Speaker announced that he had referred Senate Bills Nos. 1482 and 2915 to Committee on Calendar.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 3424 with amendments.

COOPER, Chairperson
May 12, 2004

The Speaker announced that he had referred Senate Bill No. 3424 with amendments to Committee on Calendar.

MOTION

Senator Crutchfield moved that the rules be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1175**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 1175 by Senator Crutchfield.

General Assembly, Recess & Reconvene -- Recess the House and Senate at the close of business on Thursday, May 13, 2004, and reconvene on Wednesday, May 19, 2004, at 9:00 a.m.

On motion of Senator Crutchfield, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1175** was adopted by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

MOTION

Senator Bryson moved that the rules be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 1154**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 1154 by Senator Bryson.

Memorials, Recognition -- Reverend Doug Westmoreland.

On motion of Senator Bryson, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1154** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Ford moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 861**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 861 -- General Assembly, Statement of Intent or Position -- Declares that racial profiling by law enforcement officers is contrary to public policy.

On motion of Senator Ford, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 861** was concurred in.

A motion to reconsider was tabled.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 3525 by Senator Burks.

Cumberland City -- Subject to local approval, revises Cumberland Plateau Regional Water Authority Act. Amends Chapter 45 of the Private Acts of 1999.

Senate Bill No. 3526 by Senator Herron.

Sharon -- Subject to local approval, regulates the parking and storage of motor vehicles within the city limits.

Senate Bill No. 3527 by Senator Kilby.

Morgan County -- Subject to local approval, redesignates the office of "county mayor" in Morgan County as "county executive".

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 64 -- Criminal Offenses -- Expands crime of retaliation for past action to include threats against family members. Amends TCA Section 39-16-510.

House Bill No. 76 -- Public Defenders -- Establishes scale for compensation of full-time district public defenders based upon number of years of service. Amends TCA Title 8, Chapter 14 and Title 16, Chapter 2.

House Bill No. 110 -- Home Improvement Contractors -- Prohibits unlicensed contractors from demolishing residential buildings. Amends TCA Title 4; Title 7; Title 13; Title 62 and Title 65.

House Bill No. 235 -- Taxes, Personal Property -- Changes assessment and taxation of leased personal property from lessees to lessors. Amends TCA Title 67.

House Bill No. 814 -- Special License Plates -- Authorizes issuance of Honeybee new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to agricultural development fund. Amends TCA Title 55, Chapter 4.

House Bill No. 821 -- Garnishments and Executions -- Prevents persons who move to pay judgment in installments from obtaining automatic stay of execution of garnishment. Amends TCA Section 26-2-216.

House Bill No. 1202 -- Drug and Alcohol Rehabilitation -- Requires at least one half of funds from alcohol and drug addiction treatment fund related to distribution of vehicle forfeiture proceeds to be used for treatment of indigent persons participating in drug court treatment programs. Amends TCA Section 40-33-211.

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House Bill No. 1433 -- Education -- Allows board of education to develop model grading policy and provide such policy to LEAs. Amends TCA Title 49.

House Bill No. 1524 -- Administrative Procedure (UAPA) -- Continues permanent rules filed with secretary of state after January 1, 2003.

House Bill No. 2209 -- Criminal Offenses -- Imposes additional fines on persons convicted of drug offenses; additional fines allotted to counties with high incidents of methamphetamine prosecutions for investigation and prosecution of such cases. Amends TCA Title 8, Chapter 7, Part 3 and Title 39, Chapter 17, Part 4.

House Bill No. 2285 -- County Government -- Authorizes municipality which has constructed, operates or maintains storm water or flood control facilities to enter into contract or interlocal agreement with county to bill and collect storm water fees for the municipality as designated item on ad valorem tax notice issued by the county. Amends TCA Section 12-9-104 and Section 68-221-1107.

House Bill No. 2350 -- TennCare -- Provides for \$50.00 personal needs allowance without affecting person's eligibility for low-income long-term nursing home care; funds through reduction in payments for items unrelated to quality of care. Amends TCA Title 71.

House Bill No. 2352 -- Taxes, Real Property -- Eliminates 30-day time period as POW to qualify as disabled veteran for certain property tax relief. Amends TCA Section 67-5-704.

House Bill No. 2392 -- Hospitals and Health Care Facilities -- Establishes timetable and requirements for fire sprinklers and smoke detectors in nursing homes. Amends TCA Title 68, Chapter 11, Part 2.

House Bill No. 2636 -- Drugs -- Enacts "Drug Dealer Liability Act".

House Bill No. 2644 -- Education, Higher -- Requires lay-offs of higher education employees or abolition of positions to be conducted in accordance with applicable provisions of civil service law. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

House Bill No. 2652 -- Education -- Grants additional time to special joint committee studying mold abatement in public schools for finishing its work. Amends Chapter 381 of the Public Acts of 2003.

House Bill No. 2688 -- Education, Higher -- Clarifies that recipient of Hope scholarships or other lottery funded awards will continue to be eligible for educational assistance benefits provided to children of POWs, MIAs, and combat-related deaths. Amends TCA Title 49, Chapter 4, Part 9 and Section 49-7-102.

House Bill No. 2700 -- Medical Occupations -- Authorizes employers to conduct criminal background on EMTs and EMT-Ps. Amends TCA Title 68, Chapter 140, Part 5.

House Bill No. 2741 -- Judgments -- Establishes procedure for default judgments in subrogation actions. Amends TCA Title 24, Chapter 5.

House Bill No. 2754 -- Employees, Employers -- Requires employers to give ten days' advance notice before terminating any employee benefit, including termination of the employer's

portion of payment for the benefit; requires concurrent notice to be given to the Commissioner of Labor if fifty or more employees receive notice of termination of retirement or health benefits within a three-month period. Amends TCA Title 50, Chapter 1, Part 3.

House Bill No. 2819 -- Education -- Requires students age 17 and older who the local board of education considers to be a detriment to good order and instruction to be counted as dropouts for statistical purposes. Amends TCA Title 49, Chapter 6.

House Bill No. 2832 -- Sexual Offenses -- Authorizes law enforcement officers to notify persons or organizations of information pertaining to a sexual offender if the law enforcement officer believes that such persons or organizations may be at risk from such sexual offender. Amends TCA Title 40, Chapter 39, Part 1.

House Bill No. 2844 -- Education, Dept. of -- Requires commissioner to evaluate lottery funded pre-kindergarten programs at least annually and report findings to the legislative select committee on the lottery. Amends TCA Title 4, Chapter 51, Part 1 and Title 49.

House Bill No. 2854 -- Education -- Returns qualifications required for directors of schools to those applying to superintendents of schools prior to 1992. Amends TCA Section 49-2-301.

House Bill No. 2959 -- Highway Signs -- "Sergeant Jerry Mundy and Deputy John Musice Memorial Interchange", Exit 226 on I-40 at Mt. Juliet Road (S.R. 171) in Wilson County.

House Bill No. 2960 -- Education -- Requires school nurses to maintain current certification in CPR and schools to have at least one employee or volunteer who is certified in CPR. Amends TCA Section 49-5-414 and Section 49-3-359.

House Bill No. 3104 -- Motor Vehicles -- Adds definitions to seat belt law; prohibits any passenger from riding anywhere in a motor vehicle other than in a passenger seat position; requires all passengers, and not just front seat passengers, to wear safety belts; directs \$20.00 of the proceeds of the fines from violations, rather than full amount, to the division of vocational rehabilitation; mandates that violators receive points on driving record; and adds to the list of circumstances excluded from the act. Amends TCA Title 55, Chapter 9, Part 6.

House Bill No. 3128 -- Highway Signs -- "John Douglas Ward Memorial Bridge", railroad overpass bridge on S.R. 62 in Lancing community of Morgan County.

House Bill No. 3132 -- Boards and Commissions -- Revises duties of alarms systems contractors board to include prescribing tests required for registration, testing requirements and test fees. Amends TCA Title 62, Chapter 32.

House Bill No. 3145 -- Insurance Companies, Agents, Brokers, Policies -- Prohibits any person from issuing, selling or exchanging title insurance unless that title insurance is issued and countersigned by a person who is a Tennessee resident and who either holds a certificate of authority from the state for that person or who maintains an office in Tennessee. Amends TCA Title 56, Chapter 35, Part 1.

House Bill No. 3182 -- Sexual Offenses -- Enacts the "Tennessee Serious and Violent Sex Offender Monitoring Act". Amends TCA Title 28; Title 34; Title 38; Title 39 and Title 40.

House Bill No. 3186 -- Criminal Procedure -- Allows evidence of a defendant's prior conviction of a sex offense when the victim was less than 13 if the defendant is presently being tried for a sex crime in which the victim is less than 13, subject to Rule of Evidence 403 and the state's giving notice at least 15 days before trial or later as the court may allow for good cause. Amends TCA Title 40, Chapter 17.

House Bill No. 3211 -- Special License Plates -- Authorizes issuance of new specialty earmarked license plates to raise public awareness about autism; allocates 50 percent of funds produced from sale thereof, minus expenses, to Autism Solution Center, Inc. Amends TCA Title 55, Chapter 4.

House Bill No. 3400 -- Taxes -- Extends the reporting deadline of the independent tax structure study commission from on or before July 1, 2004, until on or before December 31, 2004. Amends TCA Title 67, Chapter 10, Part 1.

House Bill No. 3423 -- Courts, Municipal -- Enacts the "Municipal Court Reform Act". Amends TCA Title 6, Chapter 17, Part 1; Title 6, Chapter 18, Part 3; Title 6, Chapter 21, Part 5; Title 6, Chapter 33, Part 1; Title 6, Chapter 4, Part 3; Title 6, Chapter 56, Part 1; Title 16, Chapter 18, Part 3; Title 16, Chapter 21, Part 1; Title 16, Chapter 17, Part 1; Title 16, Chapter 18, Part 2; Title 17, Chapter 3; Title 17, Chapter 5, Part 2; Title 55, Chapter 10, Part 3 and Title 67, Chapter 4, Part 6.

House Bill No. 3456 -- Education -- Allows development districts as well as LEAs and human resource agencies to be service delivery systems for character education. Amends TCA Section 37-5-204 and Title 49, Chapter 6.

House Bill No. 3467 -- Sexual Offenses -- Enacts the "Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification, and Tracking Act of 2004" and creates the Class E felony offense of perjury regarding a sexual offender registration form. Amends TCA Section 39-16-702 and Title 40, Chapter 39.

House Bill No. 3468 -- District Attorneys -- Increases salaries of assistant district attorneys general for each year of experience in the position. Amends TCA Section 8-7-226 and Title 16, Chapter 2.

House Bill No. 3483 -- Taxes -- Includes in net earnings for excise taxes deductible tangible expenses connected with affiliated business entities; revises other various franchise and excise tax provisions.

House Bill No. 3496 -- Gas, Petroleum Products, Volatile Oils -- Allows petroleum underground storage tank board to determine amount of fiscal responsibility for tank owners or operators or owner of petroleum site for each occurrence of contamination and for third party claims. Amends TCA Title 67, Chapter 3 and Title 68, Chapter 215.

House Bill No. 3511 -- Local Education Agency -- Permits appeal of commissioner's decision to remove director of schools or school board member of school or school system on probation to be made to chancery court in county in which local board of education is located. Amends TCA Title 49, Chapter 1, Part 6.

House Bill No. 3527 -- Finance and Administration, Dept. of -- Allows commissioner to issue warrant if refusing to issue warrant would result in interruption of essential services. Amends TCA Section 9-4-604.

House Bill No. 3531 -- Workers' Compensation -- Increases from \$2,000 to \$5,000 per incident the penalty imposed against an insurance company authorized to write workers' compensation insurance that fails to submit its modification factors (or rates) for each of its workers' compensation insureds to the Commissioner of Commerce and Insurance, when requested by the commissioner. Amends TCA Title 4; Title 9; Title 13; Title 16; Title 29; Title 40; Title 41; Title 48; Title 49; Title 50; Title 56; Title 61 and Title 65.

House Bill No. 3564 -- Wilson County -- Subject to local approval, allows the Tenth Special School District of Wilson County to use surplus proceeds from certain bonds approved to be issued in 1995, 1996 and 1997 for general operational expenses. Amends Chapter 43 of the Private Acts of 1995; Chapter 123 of the Private Acts of 1996 and Chapter 15 of the Private Acts of 1997, and all other acts amendatory thereto.

House Bill No. 3600 -- Dunlap -- Subject to local approval, deletes requirements from city charter that public works or improvements costing more than \$1,500 be executed by contract, and that all contracts over \$500 be publicly bid and bonded unless undertaken by city employees. Amends Chapter 396 of the Private Acts of 1941.

House Bill No. 3605 -- Cannon County -- Subject to local approval, repeals private act so that title of chief executive officer of county is "county executive" instead of "county mayor".

House Bill No. 3606 -- Lexington -- Subject to local approval, rewrites charter. Repeals Chapter 402 of the Acts of 1901, as amended.

House Bill No. 3607 -- Gatlinburg -- Subject to local approval, revises charter. Amends Chapter 84 of the Private Acts of 1945.

House Bill No. 3608 -- Rhea County -- Subject to local approval, repeals private act so that title of chief executive officer of county is "county executive" instead of "county mayor".

House Bill No. 3609 -- Putnam County -- Subject to local approval, redesignates title of "county mayor" to "county executive".

House Bill No. 3610 -- Saltillo -- Subject to local approval, extends four-year term of mayor and aldermen elected at August 2003 election to expire when successors are elected and qualified at November 2008 election; requires all elections be held every four years at time of regular November election. Amends Chapter 699 of the Private Acts of 1951; as amended.

House Bill No. 3611 -- Lawrence County -- Subject to local approval, transfers juvenile court clerking duties from county clerk to circuit court clerk and transfers probate court clerking duties from county clerk to clerk and master. Amends Chapter 311 of the Acts of 1901; as amended.

House Bill No. 3613 -- Garland -- Subject to local approval, changes town election from April to November and removes references to city marshal. Amends Chapter 35 of the Private Acts of 1913; as amended.

House Bill No. 3616 -- Lebanon -- Subject to local approval, authorizes the hiring of outside legal counsel, requires the mayor pro tem and the city's commissioner of finance to meet on a monthly basis regarding the city's fiscal matters if requested by city council and requires the mayor pro tem to report the results of such review to the city council, and authorizes the city council to regulate the posting and publishing of statements and comments on the city's Web site or other means of communications paid for by the city. Amends Chapter 644 of the Private Acts of 1911; as amended.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 3522 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3523 held on desk.

Senate Bill No. 3524 held on desk.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 1152 by Senator Clabough.
Memorials, Academic Achievement -- Amanda Mahala Huskey, Valedictorian, Pigeon Forge High School.

Senate Joint Resolution No. 1153 by Senator Cohen.
Memorials, Recognition -- Rabbi Peter R. Light, Beth Sholom Synagogue in Memphis.

Senate Joint Resolution No. 1155 by Senator Henry.
Memorials, Death -- Dr. John Lynwood Herrington, Jr.

Senate Joint Resolution No. 1156 by Senator Herron.
Memorials, Interns -- Travis Frank Brown.

Senate Joint Resolution No. 1157 by Senator Herron.
Memorials, Academic Achievement -- Michael Lamb, 2004 Rhodes Scholar-Elect.

Senate Joint Resolution No. 1158 by Senator Herron.
Memorials, Sports -- Greenfield 9- and 10-year-old All-Star baseball team.

Senate Joint Resolution No. 1159 by Senator Herron.
Memorials, Heroism -- Company C, 46th Engineers, Tennessee National Guard.

Senate Joint Resolution No. 1160 by Senator Herron.
Memorials, Heroism -- Battery A, 2-115 Field Artillery Battalion, Lexington.

Senate Joint Resolution No. 1161 by Senator Herron.
Memorials, Heroism -- Company C, 230th Engineers, Camden.

Senate Joint Resolution No. 1162 by Senator Herron.
Memorials, Heroism -- 1171st Transportation Company, Tennessee National Guard.

Senate Joint Resolution No. 1163 by Senator Herron.
Memorials, Heroism -- 1174th Transportation Company, Tennessee National Guard.

Senate Joint Resolution No. 1164 by Senator Herron.
Memorials, Heroism -- Company B, 230th Engineers, Huntingdon/Lobelville.

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Senate Joint Resolution No. 1165 by Senator Herron.

Memorials, Academic Achievement -- Kyle J. Phillips, Valedictorian, Decatur County Riverside High School.

Senate Joint Resolution No. 1166 by Senator Herron.

Memorials, Academic Achievement -- Chelsey Beth Johnson, Salutatorian, Decatur County Riverside High School.

Senate Joint Resolution No. 1167 by Senator Herron.

Memorials, Academic Achievement -- Heather Brown, Valedictorian, Lexington High School.

Senate Joint Resolution No. 1168 by Senator Herron.

Memorials, Academic Achievement -- Megan Nichole Malin, Valedictorian, Camden Central High School.

Senate Joint Resolution No. 1169 by Senator Herron.

Memorials, Academic Achievement -- Kimmie Taylor, Salutatorian, Camden Central High School.

Senate Joint Resolution No. 1170 by Senator Herron.

Memorials, Academic Achievement -- Hunter O'Neal Galloway, Valedictorian, South Fulton High School.

Senate Joint Resolution No. 1171 by Senator Herron.

Memorials, Academic Achievement -- Jacob Aaron Evers, Salutatorian, South Fulton High School.

Senate Joint Resolution No. 1172 by Senator Herron.

Memorials, Academic Achievement -- Joshua Ryan Owens, Valedictorian, Obion County High School.

Senate Joint Resolution No. 1173 by Senator Herron.

Memorials, Academic Achievement -- Jared Barnes, Salutatorian, Obion County Central High School.

Senate Joint Resolution No. 1174 by Senator Cohen.

Memorials, Personal Occasion -- Ed and Joyce Bousson, 50th wedding anniversary.

Senate Joint Resolution No. 1176 by Senator McLeary.

Memorials, Interns -- Matt McAdoo.

Senate Joint Resolution No. 1177 by Senator Graves.

Memorials, Academic Achievement -- Kevin Sermeno, Valedictorian, Springfield High School.

Senate Joint Resolution No. 1178 by Senator Kyle.

Memorials, Interns -- Holly Leigh Barnard.

Senate Resolution No. 221 by Senator Kurita.

Memorials, Heroism -- 155th Engineer Company, Tennessee National Guard.

Senate Resolution No. 222 by Senator Miller.

Memorials, Interns -- Andrew W. Harper.

Senate Resolution No. 223 by Senator McNally.

Controlled Substances -- Urges U.S. Secretary of Health and Human Services to investigate methods of regulating and controlling the sale of controlled substances over the Internet without a prescription.

Senate Resolution No. 224 by Senator Burchett.

Memorials, Personal Occasion -- James Perry Dendrinios, birth.

Senate Resolution No. 225 by Senator Burchett.

Memorials, Professional Achievement -- Brian Mabry.

Senate Resolution No. 226 by Senator Ketron.

Memorials, Interns -- Bridget Nicole Baggett.

Senate Resolution No. 227 by Senator Jackson.

Memorials, Heroism -- 155th Engineer Company, Tennessee National Guard.

RESOLUTIONS LYING OVER

House Joint Resolution No. 740 -- General Assembly, Studies -- Creates joint committee to

study the prevalence of cervical cancer and human papillomavirus in women and evaluate the current methods of public education and access to regular cervical cancer screening and options for increasing screening accuracy.

The Speaker announced that he had referred House Joint Resolution No. 740 to Committee on Delayed Bills.

House Joint Resolution No. 776 -- Memorials, Government Officials -- Urges Tennessee

Student Assistance Corporation to establish four regional offices, one in each grand division and one in Shelby County, and to establish program to disseminate information concerning lottery scholarships and other forms of financial aid for higher education to interested students and parents, including academic and eligibility requirements, application procedures and forms, and seminars and workshops relative to financial planning for higher education.

The Speaker announced that he had referred House Joint Resolution No. 776 to Committee on Education.

House Joint Resolution No. 818 -- Constitutional Amendments -- Revises Article XI,

Section 9, concerning consolidation of municipal and county governmental functions to require only a majority vote of those voting in the election instead of a majority vote of those voting within the municipal corporation and a majority vote of those voting in the county outside the municipal corporation to approve the change.

The Speaker announced that he had referred House Joint Resolution No. 818 to Committee on Judiciary.

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House Joint Resolution No. 890 -- General Assembly, Studies -- Creates committee to study disproportionate minority confinement in juvenile justice system.

The Speaker announced that he had referred House Joint Resolution No. 890 to Committee on Delayed Bills.

House Joint Resolution No. 978 -- Naming and Designating -- "Bill Moore Office Building", Tennessee Department of Transportation Region IV office.

The Speaker announced that he had referred House Joint Resolution No. 978 to Committee on Transportation.

House Joint Resolution No. 1012 -- Highway Signs -- Directs Department of Transportation to erect memorial marker for late Deputy Dennis Ray Armes of Roane County Sheriff's Department on S.R. 58 in Roane County.

The Speaker announced that he had referred House Joint Resolution No. 1012 to Committee on Transportation.

House Joint Resolution No. 1013 -- Highway Signs -- Directs Department of Transportation to erect memorial marker for late Deputy Alan Wayne Shubert of Roane County Sheriff's Department on S.R. 58 in Roane County.

The Speaker announced that he had referred House Joint Resolution No. 1013 to Committee on Transportation.

House Joint Resolution No. 1062 -- General Assembly, Studies -- Creates special joint committee to study new delivery method for CPR in emergency care for cardiac arrest.

The Speaker announced that he had referred House Joint Resolution No. 1062 to Committee on Delayed Bills.

House Joint Resolution No. 1078 -- Highway Signs -- "James U.L. Scott Memorial Bridge", S.R. 53 in Jackson County.

The Speaker announced that he had referred House Joint Resolution No. 1078 to Committee on Transportation.

House Joint Resolution No. 1088 -- Highway Signs -- "W. Townsend 'Townie' Anderson Highway", segment of U.S. 321 and Scenic S.R. 73 in Blount County.

The Speaker announced that he had referred House Joint Resolution No. 1088 to Committee on Transportation.

House Joint Resolution No. 1136 -- Naming and Designating -- City of Winchester, "Dogwood Capital of the World".

The Speaker announced that he had referred House Joint Resolution No. 1136 to Committee on State and Local Government.

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House Joint Resolution No. 1197 -- Naming and Designating -- "Chancellor Nick Dunagan Day", June 3, 2004.

The Speaker announced that he had referred House Joint Resolution No. 1197 to Committee on State and Local Government.

House Joint Resolution No. 1203 -- Naming and Designating -- National Emergency Medical Services Week, May 16-22, 2004.

The Speaker announced that he had referred House Joint Resolution No. 1203 to Committee on State and Local Government.

House Joint Resolution No. 1208 -- Memorials, Personal Occasion -- Austin P. and Helen Merritt Wheatley, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1208 to Committee on Calendar.

House Joint Resolution No. 1209 -- Memorials, Recognition -- Johnson County 4-H Horse Judging Team.

The Speaker announced that he had referred House Joint Resolution No. 1209 to Committee on Calendar.

House Joint Resolution No. 1210 -- Memorials, Retirement -- Bonita Grumme.

The Speaker announced that he had referred House Joint Resolution No. 1210 to Committee on Calendar.

House Joint Resolution No. 1211 -- Memorials, Recognition -- William Kenneth Knight.

The Speaker announced that he had referred House Joint Resolution No. 1211 to Committee on Calendar.

House Joint Resolution No. 1212 -- Memorials, Death -- Deputy Jason Scott.

The Speaker announced that he had referred House Joint Resolution No. 1212 to Committee on Calendar.

House Joint Resolution No. 1213 -- Memorials, Recognition -- George Scales, Jr.

The Speaker announced that he had referred House Joint Resolution No. 1213 to Committee on Calendar.

House Joint Resolution No. 1214 -- Memorials, Recognition -- Eugene Ray.

The Speaker announced that he had referred House Joint Resolution No. 1214 to Committee on Calendar.

House Joint Resolution No. 1215 -- Memorials, Recognition -- Richard Britton.

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The Speaker announced that he had referred House Joint Resolution No. 1215 to Committee on Calendar.

House Joint Resolution No. 1216 -- Memorials, Interns -- Erick Burroughs.

The Speaker announced that he had referred House Joint Resolution No. 1216 to Committee on Calendar.

House Joint Resolution No. 1217 -- Memorials, Interns -- Van Roberts.

The Speaker announced that he had referred House Joint Resolution No. 1217 to Committee on Calendar.

House Joint Resolution No. 1218 -- Memorials, Congratulations -- Mt. Juliet High School Choir, Grand Champion of Fiesta-val Choir Competition.

The Speaker announced that he had referred House Joint Resolution No. 1218 to Committee on Calendar.

House Joint Resolution No. 1219 -- Memorials, Professional Achievement -- Len Rossi, Professional Wrestling Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1219 to Committee on Calendar.

House Joint Resolution No. 1220 -- Memorials, Congratulations -- Edward Franklin "Frankie" Adams II, Kingsport Youth of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1220 to Committee on Calendar.

House Joint Resolution No. 1221 -- Memorials, Personal Occasion -- Lloyd and Sheila Morton, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1221 to Committee on Calendar.

House Joint Resolution No. 1222 -- Memorials, Academic Achievement -- Bethany Gonzales, Co-Valedictorian, Zion Christian Academy.

The Speaker announced that he had referred House Joint Resolution No. 1222 to Committee on Calendar.

House Joint Resolution No. 1223 -- Memorials, Recognition -- Ben Diles.

The Speaker announced that he had referred House Joint Resolution No. 1223 to Committee on Calendar.

House Joint Resolution No. 1224 -- Memorials, Recognition -- Linda Wilson.

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The Speaker announced that he had referred House Joint Resolution No. 1224 to Committee on Calendar.

House Joint Resolution No. 1226 -- Memorials, Professional Achievement -- Ron Thomas, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1226 to Committee on Calendar.

House Joint Resolution No. 1227 -- Memorials, Professional Achievement -- Tim Gray, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1227 to Committee on Calendar.

House Joint Resolution No. 1228 -- Memorials, Public Service -- Mayor Mike Webb.

The Speaker announced that he had referred House Joint Resolution No. 1228 to Committee on Calendar.

House Joint Resolution No. 1229 -- Memorials, Professional Achievement -- Jacqueline M. Pitt, Wilson County Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1229 to Committee on Calendar.

House Joint Resolution No. 1230 -- Memorials, Retirement -- R.J. Hayes.

The Speaker announced that he had referred House Joint Resolution No. 1230 to Committee on Calendar.

House Joint Resolution No. 1231 -- Memorials, Congratulations -- Lakewood Baptist Church in Donelson.

The Speaker announced that he had referred House Joint Resolution No. 1231 to Committee on Calendar.

House Joint Resolution No. 1233 -- Memorials, Recognition -- Dana "Tommy" Thomas.

The Speaker announced that he had referred House Joint Resolution No. 1233 to Committee on Calendar.

House Joint Resolution No. 1234 -- Memorials, Academic Achievement -- Matt Schrimpf, Centennial High School, 2004 Presidential Scholar.

The Speaker announced that he had referred House Joint Resolution No. 1234 to Committee on Calendar.

House Joint Resolution No. 1235 -- Memorials, Public Service -- Marjorie Wattenbarger Phillips.

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The Speaker announced that he had referred House Joint Resolution No. 1235 to Committee on Calendar.

House Joint Resolution No. 1236 -- Memorials, Interns -- Christopher Lewis Stump.

The Speaker announced that he had referred House Joint Resolution No. 1236 to Committee on Calendar.

House Joint Resolution No. 1237 -- Memorials, Interns -- Shannon Metz.

The Speaker announced that he had referred House Joint Resolution No. 1237 to Committee on Calendar.

House Joint Resolution No. 1238 -- Memorials, Public Service -- Holly Petraeus.

The Speaker announced that he had referred House Joint Resolution No. 1238 to Committee on Calendar.

House Joint Resolution No. 1239 -- Memorials, Heroism -- David Petraeus.

The Speaker announced that he had referred House Joint Resolution No. 1239 to Committee on Calendar.

House Joint Resolution No. 1240 -- Memorials, Professional Achievement -- Carolyn Miller, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1240 to Committee on Calendar.

House Joint Resolution No. 1241 -- Memorials, Professional Achievement -- Larry Lowman, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1241 to Committee on Calendar.

House Joint Resolution No. 1242 -- Memorials, Professional Achievement -- J.T. and Marianne Leech, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1242 to Committee on Calendar.

House Joint Resolution No. 1243 -- Memorials, Professional Achievement -- Hershel Talley, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1243 to Committee on Calendar.

House Joint Resolution No. 1244 -- Memorials, Professional Achievement -- Virgil Johnson, TWHNC Hall of Fame.

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The Speaker announced that he had referred House Joint Resolution No. 1244 to Committee on Calendar.

House Joint Resolution No. 1245 -- Memorials, Professional Achievement -- Bobby and Janie Hugh, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1245 to Committee on Calendar.

House Joint Resolution No. 1246 -- Memorials, Congratulations -- Mr. W.S. "Babe" Howard.

The Speaker announced that he had referred House Joint Resolution No. 1246 to Committee on Calendar.

House Joint Resolution No. 1247 -- Memorials, Academic Achievement -- Stephanie Rochelle Forgey, Valedictorian, Daniel 1 Academy.

The Speaker announced that he had referred House Joint Resolution No. 1247 to Committee on Calendar.

House Joint Resolution No. 1248 -- Memorials, Death -- Harold F. Samples.

The Speaker announced that he had referred House Joint Resolution No. 1248 to Committee on Calendar.

House Joint Resolution No. 1249 -- Memorials, Academic Achievement -- Trestan Drey McPherson, Valedictorian, Lewis County High School.

The Speaker announced that he had referred House Joint Resolution No. 1249 to Committee on Calendar.

House Joint Resolution No. 1250 -- Memorials, Academic Achievement -- Jennifer Leach, Salutatorian, Lewis County High School.

The Speaker announced that he had referred House Joint Resolution No. 1250 to Committee on Calendar.

House Joint Resolution No. 1251 -- Memorials, Death -- Paul H. Reed.

The Speaker announced that he had referred House Joint Resolution No. 1251 to Committee on Calendar.

House Joint Resolution No. 1252 -- Highway Signs -- "A.E. Smith, Sr. Memorial Highway", segment of S.R. 138 in Hardeman County.

The Speaker announced that he had referred House Joint Resolution No. 1252 to Committee on Calendar.

House Joint Resolution No. 1253 -- Memorials, Recognition -- Russ Family Reunion, July 4, 2004, in Mt. Juliet.

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The Speaker announced that he had referred House Joint Resolution No. 1253 to Committee on Calendar.

House Joint Resolution No. 1254 -- Memorials, Interns -- Bridget Rejoice Braggs.

The Speaker announced that he had referred House Joint Resolution No. 1254 to Committee on Calendar.

House Joint Resolution No. 1255 -- Memorials, Recognition -- Stanley and Rholedia Morgan.

The Speaker announced that he had referred House Joint Resolution No. 1255 to Committee on Calendar.

House Joint Resolution No. 1256 -- Memorials, Retirement -- Lawrence E. Baggett.

The Speaker announced that he had referred House Joint Resolution No. 1256 to Committee on Calendar.

House Joint Resolution No. 1257 -- Memorials, Recognition -- Jerry Adams.

The Speaker announced that he had referred House Joint Resolution No. 1257 to Committee on Calendar.

House Joint Resolution No. 1258 -- Memorials, Professional Achievement -- Mark Farrar, Sr., TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1258 to Committee on Calendar.

House Joint Resolution No. 1259 -- Memorials, Professional Achievement -- Hoyte Eakes, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1259 to Committee on Calendar.

House Joint Resolution No. 1260 -- Memorials, Professional Achievement -- Raneë Curtis, RN, Nurse of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1260 to Committee on Calendar.

House Joint Resolution No. 1261 -- Memorials, Professional Achievement -- Dr. Dee Cantrell, TWHNC Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 1261 to Committee on Calendar.

House Joint Resolution No. 1262 -- Memorials, Professional Achievement -- Gregg K. Jones, Chairman of the Newspaper Association of America.

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The Speaker announced that he had referred House Joint Resolution No. 1262 to Committee on Calendar.

House Joint Resolution No. 1263 -- Memorials, Interns -- Jordan Sagle.

The Speaker announced that he had referred House Joint Resolution No. 1263 to Committee on Calendar.

House Joint Resolution No. 1264 -- Memorials, Interns -- Kim MacNeil.

The Speaker announced that he had referred House Joint Resolution No. 1264 to Committee on Calendar.

House Joint Resolution No. 1265 -- Memorials, Interns -- Tabatha Inez Blackwell.

The Speaker announced that he had referred House Joint Resolution No. 1265 to Committee on Calendar.

House Joint Resolution No. 1266 -- Memorials, Professional Achievement -- Stuart Wood, 2004 Junior Achievement Laureate.

The Speaker announced that he had referred House Joint Resolution No. 1266 to Committee on Calendar.

House Joint Resolution No. 1267 -- Memorials, Professional Achievement -- C.M. "Bill" Gatton, Junior Achievement Hall of Fame 2004 Laureate.

The Speaker announced that he had referred House Joint Resolution No. 1267 to Committee on Calendar.

House Joint Resolution No. 1268 -- Memorials, Personal Achievement -- Garrett Flynn Martin, Eagle Scout of the Year.

The Speaker announced that he had referred House Joint Resolution No. 1268 to Committee on Calendar.

House Joint Resolution No. 1269 -- Naming and Designating -- National Tourism Week, May 8-16, 2004.

The Speaker announced that he had referred House Joint Resolution No. 1269 to Committee on Calendar.

House Joint Resolution No. 1270 -- Memorials, Retirement -- Steve Logsdon.

The Speaker announced that he had referred House Joint Resolution No. 1270 to Committee on Calendar.

House Joint Resolution No. 1271 -- Memorials, Sports -- Bradley Central High School wrestling team.

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The Speaker announced that he had referred House Joint Resolution No. 1271 to Committee on Calendar.

House Joint Resolution No. 1272 -- Memorials, Recognition -- Forde Callis.

The Speaker announced that he had referred House Joint Resolution No. 1272 to Committee on Calendar.

House Joint Resolution No. 1273 -- Memorials, Recognition -- Earl Slater.

The Speaker announced that he had referred House Joint Resolution No. 1273 to Committee on Calendar.

House Joint Resolution No. 1274 -- Memorials, Recognition -- Elizabeth Slater.

The Speaker announced that he had referred House Joint Resolution No. 1274 to Committee on Calendar.

House Joint Resolution No. 1275 -- Memorials, Recognition -- Earl Mitchell.

The Speaker announced that he had referred House Joint Resolution No. 1275 to Committee on Calendar.

House Joint Resolution No. 1276 -- Memorials, Recognition -- Barry Chism.

The Speaker announced that he had referred House Joint Resolution No. 1276 to Committee on Calendar.

House Joint Resolution No. 1277 -- Memorials, Congratulations -- Calvary Baptist Church of Union City, 80th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 1277 to Committee on Calendar.

House Joint Resolution No. 1278 -- Memorials, Sports -- Unaka High School Lady Rangers basketball team.

The Speaker announced that he had referred House Joint Resolution No. 1278 to Committee on Calendar.

House Joint Resolution No. 1279 -- Memorials, Recognition -- Reverend Reece Harris.

The Speaker announced that he had referred House Joint Resolution No. 1279 to Committee on Calendar.

House Joint Resolution No. 1280 -- Memorials, Congratulations -- St. George's Day School Divas.

THURSDAY, MAY 13, 2004 -- 89TH LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 1280 to Committee on Calendar.

Senate Joint Resolution No. 1147 -- Memorials, Death -- Marvin Runyon.

The Speaker announced that he had referred Senate Joint Resolution No. 1147 to Committee on Calendar.

Senate Joint Resolution No. 1148 -- Memorials, Retirement -- Michael L. Countess.

The Speaker announced that he had referred Senate Joint Resolution No. 1148 to Committee on Calendar.

Senate Joint Resolution No. 1151 -- Memorials, Public Service -- Dr. Paul and Mrs. Betty Brown.

The Speaker announced that he had referred Senate Joint Resolution No. 1151 to Committee on Calendar.

Senate Resolution No. 218 -- Memorials, Interns -- Sha-Londe Bilbrey.

The Speaker announced that he had referred Senate Resolution No. 218 to Committee on Calendar.

Senate Resolution No. 219 -- Memorials, Congratulations -- Joe and Teresa Diffie on the birth of Kylie Tarissa Diffie.

The Speaker announced that he had referred Senate Resolution No. 219 to Committee on Calendar.

Senate Resolution No. 220 -- Memorials, Public Service -- Judy Faye Peebles.

The Speaker announced that he had referred Senate Resolution No. 220 to Committee on Calendar.

NOTICES

Pursuant to Rule 44, notice was given that the following bills were returned from the House of Representatives amended. Under the rule, the bills lie over.

MESSAGE FROM THE HOUSE

May 10, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 176, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 10, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2480, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 10, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2645, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 10, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3115, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2479, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2951, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2992, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MOTION

Senator Herron moved that the Senate recall from the Governor **Senate Bill No. 3305**, as amended, which motion prevailed.

CONSENT CALENDAR NO. 1

Objections having been raised, the following bill was placed at the heel of the calendar for Wednesday, May 19, 2004, pursuant to Rule 38: **Senate Resolution No. 217**.

House Joint Resolution No. 1207 -- Memorials, Public Service -- Burkett Witt.

Senate Joint Resolution No. 1124 -- Memorials, Interns -- Krista Lee.

Senate Joint Resolution No. 1125 -- Memorials, Interns -- Ian Rubinfeld.

Senate Joint Resolution No. 1126 -- Memorials, Death -- Steven Wright.

Senate Joint Resolution No. 1127 -- Memorials, Interns -- Brent J. Chapman.

Senate Joint Resolution No. 1128 -- Memorials, Congratulations -- Sandy Shelton.

Senate Joint Resolution No. 1129 -- Memorials, Congratulations -- Randy Brewer.

Senate Joint Resolution No. 1130 -- Memorials, Recognition -- Dwight Wilkerson.

Senate Joint Resolution No. 1131 -- Memorials, Congratulations -- Denise Hughes Ray.

Senate Joint Resolution No. 1132 -- Memorials, Academic Achievement -- Courtney Rogers, Valedictorian, William Blount High School.

Senate Joint Resolution No. 1133 -- Memorials, Academic Achievement -- Erin Michelle French, Valedictorian, William Blount High School.

Senate Joint Resolution No. 1134 -- Memorials, Retirement -- Russ Cyphers.

Senate Joint Resolution No. 1135 -- Memorials, Congratulations -- Zeta Chapter of Pi Kappa Alpha Fraternity, Robert Adger Smythe Award.

Senate Joint Resolution No. 1136 -- Memorials, Interns -- Marie Stacey.

Senate Joint Resolution No. 1137 -- Memorials, Academic Achievement -- Christian Crouch, Valedictorian, Franklin County High School.

Senate Joint Resolution No. 1138 -- Memorials, Academic Achievement -- Jamie Liebenow, Valedictorian, Kingsbury High School.

Senate Joint Resolution No. 1139 -- Memorials, Recognition -- Jennie H. Dulaney.

Senate Joint Resolution No. 1142 -- Memorials, Public Service -- J.D. Elliott, 2004 Crowning Achievement Award.

Senate Joint Resolution No. 1143 -- Memorials, Congratulations -- Mt. Juliet High School Choir.

Senator Crowe moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

House Joint Resolution No. 939 -- Highway Signs -- Names a portion of SR 423 in McKenzie the "Paul Carroll Road".

House Joint Resolution No. 997 -- Highway Signs -- "Veterans Memorial Bridge" on South College Street over U.S. 70 in Smithville, DeKalb County.

House Joint Resolution No. 1002 -- Highway Signs -- Names a segment of SR 68 in Meigs County the "Raymond Bivens Memorial Highway".

House Joint Resolution No. 1011 -- Highway Signs -- "Clarence A. Powell Memorial Bridge", Duck River on U.S. 31A near Henry Horton State Park.

House Joint Resolution No. 1043 -- General Assembly, Statement of Intent or Position -- Urge every parent/care-giver of a newborn to learn infant C.P.R.

House Joint Resolution No. 1076 -- Highway Signs -- "Robert Lynn Draper Bridge", S.R. 135 in Putnam County.

House Joint Resolution No. 1079 -- Highway Signs -- "Congressman John J. Duncan, Jr./Loudon County Veterans Memorial Bridge", U.S. 11 (S.R. 2) over Tennessee River in City of Loudon.

Senator Crowe moved that all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Southerland, Trail, Williams and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 3471 -- Wilson County -- Subject to local approval, allows the Tenth Special School District of Wilson County to use surplus proceeds from certain bonds approved to be issued in 1995, 1996 and 1997 for general operational expenses. Amends Chapter 43 of the Private Acts of 1995; Chapter 123 of the Private Acts of 1996; and Chapter 15 of the Private Acts of 1997; and all other acts amendatory thereto.

On motion, Senate Bill No. 3471 was made to conform with **House Bill No. 3564**.

On motion, House Bill No. 3564, on same subject, was substituted for Senate Bill No. 3471.

Senate Bill No. 3507 -- Dunlap -- Subject to local approval, deletes requirements from city charter that public works or improvements costing more than \$1,500 be executed by contract, and that all contracts over \$500 be publicly bid and bonded unless undertaken by city employees. Amends Chapter 396 of the Private Acts of 1941.

On motion, Senate Bill No. 3507 was made to conform with **House Bill No. 3600**.

On motion, House Bill No. 3600, on same subject, was substituted for Senate Bill No. 3507.

Senate Bill No. 3509 -- Cannon County -- Subject to local approval, repeals private act so that title of chief executive officer of county is "county executive" instead of "county mayor".

On motion, Senate Bill No. 3509 was made to conform with **House Bill No. 3605**.

On motion, House Bill No. 3605, on same subject, was substituted for Senate Bill No. 3509.

Senate Bill No. 3511 -- Giles County -- Subject to local approval, transfers duties of probate court to chancery court.

On motion, Senate Bill No. 3511 was made to conform with **House Bill No. 3602**.

On motion, House Bill No. 3602, on same subject, was substituted for Senate Bill No. 3511.

Senate Bill No. 3521 -- Rhea County -- Subject to local approval, repeals private act so that title of chief executive officer of county is "county executive" instead of "county mayor".

On motion, Senate Bill No. 3521 was made to conform with **House Bill No. 3608**.

On motion, House Bill No. 3608, on same subject, was substituted for Senate Bill No. 3521.

Senator Crowe moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

MOTION

Senator Crowe moved that Rule 19 be suspended for the purpose of considering the Message Calendar next, which motion prevailed.

SENATE MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 348 -- Zoning -- Allows continuation of certain uses of structures, and on and off site signs not in conformance with local government zoning. Amends TCA Section 13-7-208.

HOUSE AMENDMENT NO. 1

AMEND by deleting in its entirety all language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 13-7-208, is amended by adding the following language as new subsections:

(g) The provisions of subsections (b)-(d) shall not apply if an industrial, commercial, or other business establishment ceases to operate for a period of thirty (30) continuous months and the industrial, commercial, or other business use of the property did not conform with the land use classification as denoted in the existing zoning regulations for the zoning district in which it is located. Anytime after the thirty (30) month cessation, any use proposed to be established on the site, including any existing or proposed on-site sign, must conform to the provisions of the existing zoning regulations. For the purposes of this subsection, the thirty (30) month period of continuous ceased operation shall be tolled by:

(1) The period in which an industrial, commercial, or other business establishment is party to any action in a court of competent jurisdiction regarding the use of the property until such time that a final settlement, order, decree, or judgment has been rendered;

(2) Any period in which a facility is being constructed, reconstructed, renovated, or refurbished, provided that all necessary building permits were obtained within thirty (30) months of cessation of continuous use;

(3) The filing of an application for a building permit for the alteration, renovation or reconstruction of a structure which is non-conforming or of a structure in which or out of which a non-conforming industrial, commercial or other business use operates or is located; or

(4) The reactivation of the non-conforming use any time prior to the end of the thirty (30) month period.

Provided, however, the restrictions of subsections (g) and (i) shall only apply if the property owner intentionally and voluntarily abandons the nonconforming use of the property. In any contested matter on the use of such property, the government has the burden of proving an overt act of abandonment in such matter.

(h) The provisions of subsections (b)-(d) shall apply to an off-site sign, which, for the purposes of this section means any sign that advertises or gives direction to any business, product, service, attraction, or any other purpose or interest, other than the industrial, commercial or other business establishment located on the site where the sign is located; provided, however, that any expansion shall be limited as follows:

(1) Any off-site sign smaller than a standard 8-sheet poster, which, for the purposes of this subsection means an off-site sign with overall dimensions of at least five feet four inches (5' 4") to six feet two inches (6' 2") in height and eleven feet four inches (11' 4") to twelve feet two inches (12' 2") in width shall not be expanded to a size greater than a standard 8-sheet poster;

(2) Any standard 8-sheet poster shall not be expanded to a size greater than a 30-sheet poster, which, for the purposes of this subsection means an off-site sign with overall dimensions of twelve feet three inches (12' 3") in height and twenty-four feet six inches (24' 6") in width;

(3) Any standard 30-sheet poster shall not be expanded to a size greater than any standard bulletin, which, for the purposes of this subsection means any off-site sign with overall dimensions of ten feet (10') to fourteen feet (14') in height and thirty-six feet (36') to forty-eight feet (48') in width;

(4) Any standard bulletin shall not be expanded to a size greater than any super bulletin, which, for the purposes of this subsection means any off-site sign with overall dimensions of sixteen feet (16') to twenty feet (20') in height and sixty feet (60') in width;

(5) Any super bulletin shall not be expanded; or

(6) Any off-site sign with height larger than standard 8-sheet poster height or width larger than standard 8-sheet poster width but not meeting the definition of a standard 8-sheet poster, a standard 30-sheet poster, a standard bulletin, or a standard super bulletin shall not be expanded by more than one hundred percent (100%) of its surface area.

(i) Notwithstanding the provisions of subsection (d), any structure rebuilt on the site must conform to the provisions of the existing zoning

regulations as to setbacks, height, bulk, or requirements as to the physical location of a structure upon the site, provided that this subsection shall not apply to off-site signs.

(j) The provisions of subsections (g), (h) and (i) do not apply to any home rule municipality, however, subject to the approval of the local legislative body, a home rule municipality may opt into the provisions of these subsections.

(k) Notwithstanding the foregoing, subsection (g) shall not apply to any industrial establishment location where twenty-five percent (25%) or more of the gross annual sales from such location are derived from sales to or contracts with local, state or federal governments or as a subcontractor to contracts with the same, or to any industrial establishment location where seventy-five percent (75%) or more of the gross annual sales from the location are made to agriculture or construction businesses.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Graves moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 348**, which motion prevailed by the following vote:

Ayes	29
Noes	0
Present, not voting . . .	1

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--29.

Senator present and not voting was: Cohen--1.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 2080 -- Private Investigators -- Requires that attorneys performing duties of private investigators be licensed in Tennessee and in good standing in order to qualify for the licensure exemption. Amends TCA Section 62-26-223.

HOUSE AMENDMENT NO. 1

AMEND by deleting the language "in the State of Tennessee" in Section 1.

Senator Harper moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 2080**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 3226 -- Sexual Offenses -- Clarifies that sexual offenders are prohibited from residing or working within 1,000 feet of a school or child care facility; clarifies that such offenders are prohibited from residing where a minor (other than the offender's child) resides. Amends TCA Section 40-39-111.

HOUSE AMENDMENT NO. 1

AMEND by adding the following new section immediately preceding the severability clause section and by renumbering the subsequent section accordingly:

SECTION 3. Tennessee Code Annotated, Section 40-39-11, is amended by deleting subsection (d) and substituting instead the following:

(d) If the ownership or use of or person or entity that occupies property within one thousand feet (1,000') of a sex offender's registered address changes, and such change occurs while a sexual offender is residing or working in a particular location, the change shall not form the basis for finding that a sexual offender is in violation of the residence or employment restrictions of this section.

Senator Miller moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 3226**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

MOTION

Senator Harper moved that Rule 37 be suspended for the purpose of placing **Senate Bill No. 2915** on the calendar for today, which motion prevailed.

MOTION

Senator Kilby moved that **Senate Bill No. 2659**, as amended, be recalled from the House, which motion prevailed.

MOTION

Senator Burks moved that Rule 26 be suspended for the immediate consideration of **Senate Bill No. 3520**, out of order, which motion prevailed.

Senate Bill No. 3520 -- Putnam County -- Subject to local approval, redesignates title of "county mayor" to "county executive".

On motion, Senate Bill No. 3520 was made to conform with **House Bill No. 3609**.

On motion, House Bill No. 3609, on same subject, was substituted for Senate Bill No. 3520.

Thereupon, **House Bill No. 3609** passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

MOTION

Senator Kurita moved that Rule 38 be suspended for the purpose of making and considering Consent Calendar No. 3 consisting of the following resolutions: **House Joint Resolution No. 1257**; and **Senate Resolution No. 221**, which motion prevailed.

CONSENT CALENDAR NO. 3

House Joint Resolution No. 1257 -- Memorials, Recognition -- Jerry Adams.

Senate Resolution No. 221 -- Memorials, Heroism -- 155th Engineer Company, Tennessee National Guard.

Senator Kurita moved that all House Joint Resolutions be concurred in; and all Senate Resolutions be adopted, which motion prevailed.

A motion to reconsider was tabled.

MOTION

Senator Clabough moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 1152**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 1152 -- Memorials, Academic Achievement -- Amanda Mahala Huskey, Valedictorian, Pigeon Forge High School.

On motion of Senator Clabough, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1152** was adopted.

A motion to reconsider was tabled.

CALENDAR NO. 1

House Joint Resolution No. 990 -- Constitutional Amendments -- Proposes an amendment to Article XI of the Constitution of the State of Tennessee to define marriage as a contract between one man and one woman.

Senator Miller moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Wilder declared pursuant to Article XI, Section 3, **House Joint Resolution No. 990** had been read.

Senate Joint Resolution No. 800 -- Constitutional Amendments -- Proposes an amendment to Article VI, Section 14, of the Constitution of the State of Tennessee, to raise the amount of the maximum fine that may be assessed without a jury.

Senator Haynes moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Wilder declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 800** had been read.

Senator Graves moved that **Senate Bill No. 2213** be placed on the calendar for Wednesday, May 19, 2004, which motion prevailed.

Senate Bill No. 2278 -- Motor Vehicles -- Requires motor vehicle financial responsibility information be entered onto accident reports. Amends TCA Title 55, Chapter 10, Part 1.

On motion, Senate Bill No. 2278 was made to conform with **House Bill No. 2601**.

On motion, House Bill No. 2601, on same subject, was substituted for Senate Bill No. 2278.

On motion of Senator Miller, Amendment No. 1 was withdrawn.

On motion of Senator Williams, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 2601** passed its third and final consideration by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

Senate Bill No. 2307 -- Medical Occupations -- Authorizes employers to conduct criminal background on EMTs and EMT-Ps. Amends TCA Title 68, Chapter 140, Part 5.

On motion, Senate Bill No. 2307 was made to conform with **House Bill No. 2700**.

On motion, House Bill No. 2700, on same subject, was substituted for Senate Bill No. 2307.

Senator Ford moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the language "any and all" from subdivision (b)(2) of the amendatory language of Section 1 and by substituting instead the language "only such".

AND FURTHER AMEND by inserting the punctuation "," between the word "Tennessee" and the word "necessary" in subdivision (b)(2) of the amendatory language of Section 1.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2700**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 2622 -- Medical Occupations -- Authorizes medical laboratory board to promulgate continuing education requirements for medical laboratory personnel and special analysts. Amends TCA Section 68-29-105.

On motion, Senate Bill No. 2622 was made to conform with **House Bill No. 2708**.

On motion, House Bill No. 2708, on same subject, was substituted for Senate Bill No. 2622.

On motion of Senator Ford, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2708** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--30.

A motion to reconsider was tabled.

Mr. Speaker Wilder moved that **Senate Bill No. 2725** be moved three places down on the calendar for today, which motion prevailed.

Senator Crowe moved that **Senate Bill No. 2726** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 3015 -- Sewage -- Revises requirements for advanced treatment system pilot project study to require that duplicate area on lots where ATS is installed meets requirements for an alternative system area, or a conventional system as required by present law. Amends TCA Section 68-221-415; Section 68-221-416 and Section 68-221-417.

On motion, Senate Bill No. 3015 was made to conform with **House Bill No. 3203**.

On motion, House Bill No. 3203, on same subject, was substituted for Senate Bill No. 3015.

Senator Miller moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 of the printed bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-221-415(a)(4), is amended by deleting the language "of Appendix II for a conventional system" and by substituting instead the language "of the rules for either a conventional system or an alternative system".

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 3203**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Mr. Speaker Wilder moved that **Senate Bill No. 2152** be placed at the heel of the calendar for today, which motion prevailed.

Senate Bill No. 2391 -- Boards and Commissions -- Revises duties of alarms systems contractors board to include prescribing tests required for registration, testing requirements and test fees. Amends TCA Title 62, Chapter 32.

On motion, Senate Bill No. 2391 was made to conform with **House Bill No. 3132**.

On motion, House Bill No. 3132, on same subject, was substituted for Senate Bill No. 2391.

On motion of Senator Haynes, Amendment No. 2 was withdrawn.

Senator Jackson moved to amend as follows:

AMENDMENT NO. 3

AMEND by adding the following new subsection (i) to the amendatory language of Section 2:

(i) Any costs associated with the alarm system training required by this section shall be the responsibility of and paid by the alarm system contractor who employs the person being trained.

Pursuant to Rule 39(3), Amendment No. 3 was adopted by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Cohen, Cooper, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--29.

Thereupon, **House Bill No. 3132**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 2725 -- Hospitals and Health Care Facilities -- Requires the board for licensing health care facilities to report to the Commissioner of Health on specific issues concerning fire safety in facilities regulated by the Department of Health and requires the commissioner to report to legislative standing committee concerning recommendations. Amends TCA Title 4; Title 68 and Title 71.

On motion, Senate Bill No. 2725 was made to conform with **House Bill No. 2554**.

On motion, House Bill No. 2554, on same subject, was substituted for Senate Bill No. 2725.

Senator Ford moved that Amendment No. 1 be placed behind Amendment No. 4, which motion prevailed.

Senator Ford moved that Amendment No. 2 be placed behind Amendment No. 1, which motion prevailed.

Senator Ford moved that Amendment No. 3 be placed behind Amendment No. 2, which motion prevailed.

Senator Ford moved to amend as follows:

AMENDMENT NO. 4

AMEND by deleting the language after the enacting clause and substituting instead the following new language:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) The term "facility" as used in this section shall mean any assisted-care living facility as such term is defined in § 68-11-201.

(b) No later than one hundred twenty (120) days after the effective date of this act, any licensed facility that is not fully sprinklered as of the effective date of this act must provide electronically operated smoke detectors with battery back-up power operating at all times in, at least sleeping rooms, day rooms, corridors, laundry rooms, and any other hazardous areas.

(c) Any facility that is not fully sprinklered as of the effective date of this act must submit to the Department of Health a sprinkler plan for the full sprinklering of the facility.

(1) If the facility provides resident care above the ground floor, the facility must submit the sprinkler plan no later than six (6) months from the effective date of this act.

(2) If the facility provides resident care only on the ground floor, the facility must submit the sprinkler plan no later than eleven (11) months from the effective date of this act.

(3) Any facility that submitted a sprinkler plan to the department prior to the effective date of this act shall not be required to resubmit its plan.

(d) The Department of Health must review and approve or disapprove any sprinkler plan for a facility within thirty (30) days of the plan being submitted by or on behalf of the facility. Any sprinkler plan for a facility submitted prior to the effective date of this act must be reviewed and approved or disapproved by the department no later than August 1, 2004.

(e) If the department disapproves a sprinkler plan submitted by or on behalf of a facility, that facility or the facility's contractor shall promptly resubmit the plan with any needed corrections or clarifying information. Once resubmitted, the Department of Health must review and approve or disapprove of the plan no later than thirty (30) days after the plan is resubmitted.

(f) A licensed facility that is not fully sprinklered as of the effective date of this act shall become fully sprinklered in accordance with the following compliance dates:

(1) If the facility provides resident care above or below the ground floor, the facility must complete installation of sprinklers within twelve (12) months from July 1, 2004, or twelve (12) months from the date of approval of its sprinkler plan, whichever is later.

(2) If the facility provides resident care only on the ground floor, the facility must complete installation of sprinklers within eighteen (18) months from July 1, 2004, or eighteen (18) months from the date of approval of its sprinkler plan, whichever is later.

(3) A facility may request that the department extend its timeframe for installation of sprinklers if the water service supplied by the local water utility or municipality is insufficient to operate the sprinkler system.

(g) A facility not fully sprinklered as of the effective date of this act may choose to completely replace the facility as an alternative to complying with subsection (f). If the facility elects to do so, the new facility must be constructed according to building plans that have been approved by the Department of Health, and must be in construction beyond the footing stage no later than three (3) years after the effective date of this act.

(h) On and after the effective date of this act, the Department of Health shall not issue a license to any new facility unless that facility is fully sprinklered and provides a smoke detector in each resident room prior to licensure.

(i) Failure to comply with this section shall be grounds for discipline and/or licensure action by the board pursuant to § 68-11-207. Any facility that fails to comply with the requirements and timeframes of this act may be required to appear before the board to explain its non-compliance.

(j) At least once per year, each licensed facility shall coordinate a fire drill with its local fire department. The local fire department shall observe the fire drill and provide input to the facility relative to the fire safety of the facility.

(k) The provisions of this act shall control to the extent that any provisions of existing law are in conflict with this act.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) The term "facility" as used in this section shall mean:

(1) Any home for the aged, as such term is defined in § 68-11-201, which is licensed for twelve (12) or more beds in which all residents live on the ground floor; or

(2) Any home for the aged that has two (2) or more stories in which residents live.

(b) No later than one hundred twenty (120) days after the effective date of this act, any licensed home for the aged that is not fully sprinklered as of the effective date of this act must provide electronically operated smoke detectors with battery back-up power operating at all times in, at least sleeping rooms, day rooms, corridors, laundry rooms, and any other hazardous areas.

(c) Any facility that is not fully sprinklered as of the effective date of this act must submit to the Department of Health a sprinkler plan for the full sprinklering of the facility.

(1) If the facility provides resident care above the ground floor, the facility must submit the sprinkler plan no later than twelve (12) months from the effective date of this act.

(2) If the facility provides resident care only on the ground floor, the facility must submit the sprinkler plan no later than fifteen (15) months from the effective date of this act.

(3) Any facility that submitted a sprinkler plan to the department prior to the effective date of this act shall not be required to resubmit its plan.

(d) The Department of Health must review and approve or disapprove any sprinkler plan for a facility within sixty (60) days of the plan being submitted by or on behalf of the facility. Any sprinkler plan for a facility submitted prior to the effective date of this act must be reviewed and approved or disapproved by the department no later than August 1, 2004.

(e) If the department disapproves a sprinkler plan submitted by or on behalf of a facility, that facility or the facility's contractor shall promptly resubmit the plan with any needed corrections or clarifying information. Once resubmitted, the Department of Health must review and approve or disapprove of the plan no later than thirty (30) days after the plan is resubmitted.

(f) A licensed facility that is not fully sprinklered as of the effective date of this act shall become fully sprinklered in accordance with the following compliance dates:

(1) If the facility provides resident care above or below the ground floor, the facility must complete installation of sprinklers within eighteen (18) months from July 1, 2004, or eighteen (18) months from the date of approval of its sprinkler plan, whichever is later.

(2) If the facility provides resident care only on the ground floor, the facility must complete installation of sprinklers within twenty-four (24) months from July 1, 2004, or twenty-four (24) months from the date of approval of its sprinkler plan, whichever is later.

(3) A facility may request that the department extend its timeframe for installation of sprinklers if the water service supplied by the local water utility or municipality is insufficient to operate the sprinkler system.

(g) A facility not fully sprinklered as of the effective date of this act may choose to completely replace the facility as an alternative to complying with subsection (f). If the facility elects to do so, the new facility must be constructed according to building plans that have been approved by the Department of Health, and must be in construction beyond the footing stage no later than six (6) years after the effective date of this act.

(h) On and after the effective date of this act, the Department of Health shall not issue a license to any new facility unless that facility is fully sprinklered and provides a smoke detector in each resident room prior to licensure.

(i) Failure to comply with this section shall be grounds for discipline and/or licensure action by the board pursuant to § 68-11-207. Any facility that fails to comply with the requirements and timeframes of this act may be required to appear before the board to explain its non-compliance.

(j) At least once per year, each licensed facility shall coordinate a fire drill with its local fire department. The local fire department shall observe the fire drill and provide input to the facility relative to the fire safety of the facility.

(k) The provisions of this act shall control to the extent that any provisions of existing law are in conflict with this act.

SECTION 3. This act shall take effect July 1, 2004, the public welfare requiring it.

On motion, Amendment No. 4 was adopted.

Senator Ford moved that Amendment No. 1 be placed behind Amendment No. 5, which motion prevailed.

Senator Ford moved that Amendment No. 2 be placed behind Amendment No. 1, which motion prevailed.

Senator Ford moved that Amendment No. 3 be placed behind Amendment No. 2, which motion prevailed.

Senator Ford moved to amend as follows:

AMENDMENT NO. 5

AMEND by adding the following as a new subsection to the amendatory language of Section 2, as amended:

() In order to facilitate the affordability of safety-related changes required by the provisions of this section, the Department of Health is authorized to establish a grant program to subsidize a portion or all of the cost of such changes for homes for the aged; provided, however, the department may only use private donations that it receives for such purpose to fund the grants.

On motion, Amendment No. 5 was adopted.

On motion of Senator Ford, Amendment No. 1 was withdrawn.

On motion of Senator Ford, Amendment No. 2 was withdrawn.

On motion of Senator Ford, Amendment No. 3 was withdrawn.

Thereupon, **House Bill No. 2554**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senate Bill No. 2602 -- Tort Liability -- Prohibits claims being brought under False Claims Act if action based upon employment decisions made by elected official, governing body or political subdivision or municipality or if the state or political subdivision that is the subject of the false claim has undertaken an action to recover wrongfully paid funds. Amends TCA Section 4-18-104.

On motion, Senate Bill No. 2602 was made to conform with **House Bill No. 2889**.

On motion, House Bill No. 2889, on same subject, was substituted for Senate Bill No. 2602.

On motion of Senator Person, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 2889** passed its third and final consideration by the following vote:

Ayes	30
Noes	2

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kilby,

Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Williams and Mr. Speaker Wilder--30.

Senators voting no were: Jackson and Trail--2.

A motion to reconsider was tabled.

Senate Bill No. 3045 -- Special License Plates -- Authorizes issuance of new specialty earmarked license plates for The Elephant Sanctuary in Tennessee; allocates 50 percent of funds derived from sale thereof, minus expenses, to such organization. Amends TCA Title 55, Chapter 4.

Senator Williams moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 3 of the printed bill in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by deleting item (S) in its entirety.

SECTION 4. Tennessee Code Annotated, Section 55-4-307, is amended by deleting the section in its entirety.

SECTION 5. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) NASCAR;

SECTION 6. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2___. (a) Owners or lessees of motor vehicles who are residents of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a National Association for Stock Car Auto Racing, Inc. (NASCAR) new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain an appropriate design. The design of the plates shall be subject to the approval of NASCAR and shall additionally afford such trademark protection as NASCAR shall require, as otherwise permitted by law.

(c) The department is authorized to design multiple plates for issuance pursuant to this section, provided that the minimum initial issuance and renewal requirements of § 55-4-201(h)(1) shall apply only once to the entire classification of NASCAR plates.

(d)(1) Except as otherwise provided in subdivision (d)(2), the funds produced from the sale of NASCAR new specialty earmarked license plates shall be

allocated in accordance with the provisions of § 55-4-215. The percentage of funds allocated pursuant to § 55-4-215(a)(1) from the sale of NASCAR new specialty earmarked license plates shall be distributed in equal shares to:

(A) The Tennessee State Museum Foundation to be used exclusively as recommended by the Tennessee State Museum for the production and procurement of exhibitions and the acquisition of artifacts; and

(B) Speedway Children's Charities in Tennessee in the name of NASCAR and the State of Tennessee.

(2) The funds allocated pursuant to § 55-4-215(a)(2) shall be distributed to the Tennessee State Museum, which is under the supervision of, and administered by, the Tennessee Arts Commission pursuant to § 4-12-101.

SECTION 7. (a) For the purposes of complying with § 55-4-201(h)(1), the NASCAR plates authorized by this act are hereby designated as a new legislative enactment and shall have one (1) year from the effective date of this act or until July 1, 2005, whichever is later, to meet the minimum initial issuance requirements of § 55-4-201(h)(1).

(b) The provisions of § 55-4-201(f) shall not apply to the NASCAR plates authorized by this act or Chapter No. 417 of the Public Acts of 2003.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. Sections 3, 4 and 8 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect July 1, 2004, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Kurita moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Notwithstanding any provision of law to the contrary, the "Driving To A Cure" new specialty earmarked license plates authorized for issuance by Tennessee Code Annotated, Section 55-4-304, shall have until July 1, 2005, to meet applicable initial issuance requirements.

THURSDAY, MAY 13, 2004 -- 89TH LEGISLATIVE DAY

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 3045**, as amended, passed its third and final consideration by the following vote:

Ayes 29
Noes 1

Senators voting aye were: Atchley, Bryson, Burchett, Burks, Cooper, Crowe, Crutchfield, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--29.

Senator voting no was: Cohen--1.

A motion to reconsider was tabled.

Mr. Speaker Wilder moved that **Senate Bill No. 3289** be moved three places down on the calendar for today, which motion prevailed.

Mr. Speaker Wilder moved that **Senate Bill No. 3300** be moved three places down on the calendar for today, which motion prevailed.

Senator McNally moved that **Senate Bill No. 3337** be moved ten places down on the calendar for today, which motion prevailed.

Senate Bill No. 3394 -- TennCare -- Removes reference to "office of health services" in provision giving subpoena and related powers to the program integrity unit. Amends TCA Title 4; Title 20; Title 29; Title 39; Title 40; Title 41; Title 47; Title 53; Title 56; Title 68 and Title 71.

On motion, Senate Bill No. 3394 was made to conform with **House Bill No. 3512**.

On motion, House Bill No. 3512, on same subject, was substituted for Senate Bill No. 3394.

On motion of Senator Crutchfield, Amendment No. 1 was withdrawn.

Senator Graves moved that **House Bill No. 3512** be moved five places down on the calendar for today, which motion prevailed.

Senator Cooper moved that **Senate Bill No. 3300** be rereferred to the Committee on Calendar, which motion prevailed.

Mr. Speaker Wilder moved that **Senate Bill No. 3289** be moved five places down on the calendar for today, which motion prevailed.

MOTION

Senator Crutchfield moved that the Proposed Schedule for the week of May 17, 2004, be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 29
Noes 0

THURSDAY, MAY 13, 2004 -- 89TH LEGISLATIVE DAY

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Crowe, Crutchfield, Dixon, Ford, Fowler, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--29.

**TENNESSEE STATE SENATE
103rd GENERAL ASSEMBLY**

**PROPOSED SCHEDULE
FOR THE WEEK OF MAY 17, 2004**

MONDAY -- May 17

3:00 p.m. — 5:00 p.m. Finance, Ways & Means Committee
No Floor Session

TUESDAY -- May 18

8:30 a.m. — 9:30 a.m. Commerce, Labor & Agriculture Committee
9:30 a.m. — 12:30 p.m. Finance, Ways & Means Committee
12:30 p.m. — 1:30 p.m. Lunch
1:30 p.m. — 5:30 p.m. Finance, Ways & Means Committee

WEDNESDAY -- May 19

9:00 a.m. Session -- Senate Chamber

THURSDAY -- May 20

OTHER MEETINGS:

Monday, May 17, 2004 -- Joint Government Operations - Rules Review
2:00 p.m. -- Room 12/14 LP

NOTE: The Education; Environment, Conservation & Tourism; General Welfare, Health & Human Resources; Government Operations; Judiciary; State & Local Government; and Transportation Committees will meet again only at the call of the Chair.

CALENDAR NO. 1

House Bill No. 1249 -- Ethics -- Requires disclosure of consulting contracts by members of general assembly. Amends TCA Title 2, Chapter 10; Title 3 and Title 12, as amended.

Senator Norris moved to amend as follows:

AMENDMENT NO. 4

AMEND by deleting in subdivisions (1) and (2) in Section 2-10-122 of Section 1, as amended, the language "in a contested case action or rule making procedure" and by substituting instead the language "in a contested case action, administrative procedure, or rule making procedure".

On motion, Amendment No. 4 was adopted.

Senator Norris declared Rule 13 on **House Bill No. 1249**, as amended.

Thereupon, **House Bill No. 1249**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

House Bill No. 3499 -- Solid Waste Disposal -- Requires revision of regional solid waste management plans every 10 years and revises requirements for certain funds and tipping fees. Amends TCA Title 68, Chapter 212, Part 1 and Title 68, Chapter 211, Part 1 and Part 8.

House Bill No. 3499 passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

House Bill No. 3524 -- Education, Higher -- Requires that person seeking baccalaureate degree earn credit in American history consisting of nine semester hours or 12 quarter hours instead of six semester hours or nine quarter hours. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8; and Title 49, Chapter 9, as amended.

Senator Cooper moved that the Senate reconsider its action in adopting Amendment No. 2 to **House Bill No. 3524**, which motion prevailed by the following vote:

Ayes	18
Noes	11
Present, not voting . . .	2

Senators voting aye were: Burks, Clabough, Cohen, Cooper, Dixon, Ford, Graves, Harper, Herron, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Trail and Williams--18.

Senators voting no were: Atchley, Beavers, Bryson, Burchett, Crowe, Crutchfield, Fowler, Kyle, Person, Ramsey and Southerland--11.

Senators present and not voting were: Henry and Jackson--2.

Senator Crutchfield declared Rule 13 on **House Bill No. 3524**.

Senator Cooper moved that Amendment No. 2 to **House Bill No. 3524** go to the table, which motion failed by the following vote:

Ayes	13
Noes	18

Senators voting aye were: Burks, Clabough, Cohen, Cooper, Dixon, Graves, Harper, Haynes, Herron, Kilby, McLeary, McNally and Williams--13.

Senators voting no were: Atchley, Beavers, Bryson, Burchett, Crowe, Crutchfield, Ford, Fowler, Henry, Jackson, Ketron, Kurita, Kyle, Miller, Norris, Person, Ramsey and Southerland--18.

Senator Cooper moved that **House Bill No. 3524** be rereferred to the Committee on Education, which motion prevailed.

House Bill No. 3544 -- Taxes -- Revises various tax provisions including allowing payment of taxes by credit and debit cards, establishing procedures for requesting an extension of time to file excise and franchise tax returns, and authorizing the Commissioner of Revenue to enter into certain agreements. Amends TCA Title 67, Chapter 1, Chapter 4, and Chapter 6.

House Bill No. 3544 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

FURTHER ACTION ON HOUSE BILL NO. 3512

Senator Graves moved that **House Bill No. 3512** be placed at the heel of the calendar for today, which motion prevailed.

MR. SPEAKER WILDER RELINQUISHES CHAIR

Mr. Speaker Wilder relinquished the Chair to Senator Haynes as Speaker pro tempore.

Senate Bill No. 3289 -- Special License Plates -- Authorizes issuance of new specialty earmarked license plates to raise public awareness about autism; allocates 50 percent of funds produced from sale thereof, minus expenses, to Autism Solution Center, Inc. Amends TCA Title 55, Chapter 4.

On motion, Senate Bill No. 3289 was made to conform with **House Bill No. 3211**.

On motion, House Bill No. 3211, on same subject, was substituted for Senate Bill No. 3289.

On motion of Senator Williams, Amendment No. 1 was withdrawn.

On motion of Senator Kurita, Amendment No. 2 was withdrawn.

Senator Cohen moved to amend as follows:

AMENDMENT NO. 3

AMEND by adding a new section before the enacting clause:

Plates for the Memphis Zoo and Memphis Grizzlies previously authorized shall have one year from the effective date of this act or until July 1, 2005, whichever is later, to meet the minimal requirements of Section 55-4-201(h)(1).

Pursuant to Rule 39(3), Amendment No. 3 was adopted by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--32.

Thereupon, **House Bill No. 3211**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail and Williams--32.

A motion to reconsider was tabled.

House Joint Resolution No. 1184 -- Memorials, Recognition -- Dr. Paul Durham.

House Joint Resolution No. 1184 was concurred in by the following vote:

Ayes	32
Noes	1

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

Senator voting no was: Cohen--1.

A motion to reconsider was tabled.

MR. SPEAKER WILDER RESUMES CHAIR

Mr. Speaker Wilder resumed the Chair.

On motion of Senator Crowe, **Senate Joint Resolution No. 1013** was withdrawn from the Senate.

Senator McNally moved that **Senate Resolution No. 158**, as amended, be placed on the calendar for Wednesday, May 19, 2004, which motion prevailed.

MOTION

Senator McNally moved that Rule 83(8) be suspended for the purpose of placing **Senate Resolution No. 223** on the calendar for the Committee on Finance, Ways and Means for today, which motion prevailed.

MOTION

Senator Beavers moved that Rule 26 be suspended for the immediate consideration of **Senate Bill No. 3512**, out of order, which motion prevailed.

Senate Bill No. 3512 -- Lebanon -- Subject to local approval, authorizes the hiring of outside legal counsel, requires the mayor pro tem and the city's commissioner of finance to meet on a monthly basis regarding the city's fiscal matters if requested by city council and requires the mayor pro tem to report the results of such review to the city council, and authorizes the city council to regulate the posting and publishing of statements and comments on the city's Web site or other means of communications paid for by the city. Amends Chapter 644 of the Private Acts of 1911; as amended.

On motion, Senate Bill No. 3512 was made to conform with **House Bill No. 3616**.

On motion, House Bill No. 3616, on same subject, was substituted for Senate Bill No. 3512.

Thereupon, **House Bill No. 3616** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senate Bill No. 2915 -- Sunset Laws -- Deletes reference in sunset laws to terminated governmental entity, public safety committee. Amends TCA Title 4, Chapter 29.

Senator Harper moved to amend as follows:

AMENDMENT NO. 1

AMEND by adding the following as a new section to precede the effective date section:

SECTION ____ Tennessee Code Annotated, Section 4-29-104, is amended by deleting the existing subsection (d) in its entirety and by substituting instead the following:

(d) Notwithstanding the provisions of § 4-29-115 or any other provision of law to the contrary, if the evaluation committee created in § 4-29-103 does not conduct a public hearing regarding a governmental entity which has been reviewed by the office of the comptroller and such entity is due to terminate on or by June 30, 2004, then such entity shall be extended for two (2) years, or until the committee conducts the public hearing and the general assembly acts to terminate, continue, reestablish or restructure the governmental entity, whichever occurs first. If such hearing and action by the general assembly does not occur prior to June 30, 2006, then any entity continued pursuant to the provisions of this subsection (d) is terminated and shall wind up its affairs pursuant to § 4-29-112.

Senator Harper moved that **Senate Bill No. 2915** be placed at the heel of the calendar for today, which motion prevailed.

MOTION

Senator Crowe moved that the Committee on Calendar's Report on Qualified Annual Events be considered next, out of order, which motion prevailed.

CALENDAR NO. 2

**COMMITTEE ON CALENDAR'S REPORT
ON QUALIFIED ANNUAL EVENTS**

**Tennessee Secretary of State's Office
Charitable Organizations - Gaming Event Applications
Omnibus List
Year 6/30/2005**

Anderson - Total Approved in this County 1

Boys Club of Oak Ridge

FEIN	62-0589052	Contact Person	Lawrence A. Hahn
Event Address	684 Emory Valley Road, Oak Ridge, TN 37830		
Event Date	8/14/2004		
Event Name	Boys Club of Oak Ridge Annual Reverse Raffle		
Event Type	Raffle		
Event Description	Prenumbered tickets will be sold. Purchaser will keep one prenumbered half		

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and Boys Club will keep the other. All tickets will be placed in a large container and various prizes will be awarded for certain tickets, with grand prize for the last ticket.

Joint Event Organizations

None

Davidson - Total Approved in this County 13

American Cancer Society

FEIN	64-0329009	Contact Person	Elaine Gordon
Event Address	2000 Charlotte Ave., Nashville, TN 37203		
Event Date	5/20/2005		
Event Name	American Cancer Society's Relay for Life		
Event Type	Raffle		
Event Description	We will be raffling three items, one in each Grand Division. Tickets will be sold at all of our 100+ Relay for Life events held in TN in the spring of 2005		

Joint Event Organizations

None

American Lebanese Syrian Associated Charities, Inc. (ALSAC)

FEIN	35-1044585	Contact Person	H. Randell Nichols
Event Address	631 Mainstream Drive, Nashville, TN 37212		
Event Date	6/18/2005		
Event Name	St. Jude Dream Home		
Event Type	Raffle		
Event Description	Sale of tickets with the winning ticket(s) to be determined by a random drawing.		

Joint Event Organizations

None

Boys and Girls Clubs of Middle Tennessee

FEIN	62-0540402	Contact Person	Lloyd R. Harris
Event Address	1st. Ave. North and Riverfront Park, Nashville, TN 37201		
Event Date	10/16/2004		
Event Name	Great Nashville Rubber Duck Race		
Event Type	Raffle		
Event Description	A one mile race on the Cumberland River in downtown Nashville. Each duck will be numbered and each purchaser will receive a corresponding adoption number. Purchasers of the winning ducks will receive prizes.		

Joint Event Organizations

None

Center for Jewish Awareness

FEIN	62-1793153	Contact Person	Yitzchok Tiechtel
Event Address	142 Belle Forest Circle, Nashville, TN 37221		

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Event Date 5/26/2005
Event Name Center for Jewish Awareness Fundraiser
Event Type Raffle
Event Description Raffle tickets will be sold for a specific prize.

Joint Event Organizations

None

Foundations Associates

FEIN 62-1600305 **Contact Person** Michael Cartwright
Event Address Maxwell House Hotel, 2025 Metrocenter Blvd., Nashville, TN 37228
Event Date 9/14/2004
Event Name Recovery Round-Up 2004
Event Type Dinner/Raffle
Event Description Dinner will be provided and raffling off - Harley Davidson - Big Screen - Super Bowl Tickets

Joint Event Organizations

None

Montgomery Bell Academy of the University of Nashville

FEIN 62-0513741 **Contact Person** Samuel E. Jackson
Event Address 4001 Harding Road, Nashville, TN 37205
Event Date 10/8/2004
Event Name Montgomery Bell Academy Homecoming Raffle
Event Type Raffle
Event Description MBA Students will sell between 15,000 and 25,000 raffle tickets at \$2.00 per ticket as part of the Homecoming Festivities. On night of 10/8/04 eighteen to twenty-four numbers will be drawn and prizes will be distributed to individuals with those numbers.

Joint Event Organizations

None

Music City People International (MCPI)

FEIN 62-1635046 **Contact Person** Everett A. Bills
Event Address Thompson Lane (Coleman Park Complex), Nashville, TN 37211
Event Date 9/25/2004
Event Name Music City Raffle
Event Type Raffle
Event Description Tickets will be sold and drawing of tickets sold for prizes.

Joint Event Organizations

None

Nashville Humane Association

FEIN 62-0672999 **Contact Person** Mary Pat Boatfield

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Event Address 815 Belle Meade Blvd., Nashville, TN 37205
Event Date 4/6/2005
Event Name Cause for Paws
Event Type Raffle
Event Description Raffle off an item at the "Cause for Paws" event

Joint Event Organizations
None

Nashville Kangaroos, Inc.

FEIN 62-1720322 **Contact Person** Grant White
Event Address 2600 West End Avenue, Centennial Park, Nashville, TN 37202
Event Date 9/10/2004
Event Name Gum Trees - Growing the Australian Festival
Event Type Raffle
Event Description Each ticket holder will be eligible to win one of 25 prizes, with the grand prize being a round trip for two (2) to Australia and with other prizes ranging from a signed autographed Gibson Guitar, to smaller prizes such as Web Hosting for a year.

Joint Event Organizations
None

Nashville Zoo at Grassmere

FEIN 62-1411210 **Contact Person** Richard J. Schwartz
Event Address 3777 Nolensville Road, Nashville, TN 37211
Event Date 10/2/2004
Event Name Nashville Zoo Animal Affair Raffle
Event Type Raffle
Event Description Tickets will be sold online for \$100.00 each. Auction (raffle) prizes will include vehicle, safari and jewelry item. Drawing will be held on October 2, 2004, at the Nashville Zoo.

Joint Event Organizations
None

National Kidney Foundation of Middle Tennessee

FEIN 62-0815931 **Contact Person** Lou Tate
Event Address 625 Smith Avenue, TN State Fair, Nashville, TN 37203
Event Date 9/19/2004
Event Name National Kidney Foundation of Middle Tennessee Raffle
Event Type Raffle
Event Description Raffle of new passenger vehicle.

Joint Event Organizations
None

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Special Olympics Tennessee, Inc.

FEIN	23-7348136	Contact Person	Alan L. Bolick
Event Address	The Coliseum, 1 Titans Way, Nashville, TN 37213		
Event Date	5/1/2005		
Event Name	Frank Wycheck Harley Ride For Special Olympics		
Event Type	Raffle		
Event Description	Raffle of Harley Davidson Motorcycle w/public drawing on May 1, 2005. Tickets to be sold statewide by Special Olympics volunteers; managed by Special Olympics staff.		

Joint Event Organizations

None

Volunteer State Horsemen's Foundation (The)

FEIN	62-1324410	Contact Person	Henry W. Hooker
Event Address	Steeplechase Course at Warner Parks, Nashville, TN 37221		
Event Date	5/14/2005		
Event Name	Iroquis Steeplechase Raffle		
Event Type	Raffle		
Event Description	Raffle one automobile		

Joint Event Organizations

None

Hamblen - Total Approved in this County 2

Boys and Girls Club of Morristown, Inc.

FEIN	62-0630667	Contact Person	Paul E. Seals
Event Address	1635 Doyal Drive, Morristown, TN 37814		
Event Date	5/13/2005		
Event Name	Benefit Dinner and Drawing		
Event Type	Raffle		
Event Description	Tickets will be sold for a dinner raffle with the winner receiving a \$10,000 prize		

Joint Event Organizations

None

Ministerial Association Temporary Shelter, Inc.

FEIN	62-1324210	Contact Person	Linda A. Dietrich
Event Address	3040 Cherokee Park Drive, Morristown, TN 37814		
Event Date	7/4/2004		
Event Name	Great Balls of Fire Tennis Ball Race		
Event Type	Tennis Ball Race		
Event Description	Persons buy numbered tennis ball, which compete in preliminary heats and final heat- first tennis ball across finish line is winner.		

Joint Event Organizations

None

Hamilton - Total Approved in this County 2

March of Dimes Birth Defects Foundation

FEIN	13-1846366	Contact Person	Leslie Ladd, State Director
Event Address	5808 Lee Highway (Lexus of Chattanooga/Capitol Toyota), Chattanooga, TN 37421		
Event Date	11/30/2004		
Event Name	March of Dimes Charitable Raffle		
Event Type	Raffle		
Event Description	Raffle of one year lease of Lexus or Toyota Camry automobile.		

Joint Event Organizations

None

New Life Homes, Inc.

FEIN	62-1213220	Contact Person	Susan Byrd
Event Address	302 Magnolia Vale Dr. Cummins Cove, Black Creek Golf Club, Chattanooga, TN 37419		
Event Date	10/1/2004		
Event Name	Lotto Home For New Life		
Event Type	Raffle		
Event Description	NLH will sell tickets (\$100) through various outlets for one chance to win one of two houses in Autumn Brook Subdivision or a lot in Cummings Cove. Other prizes which are donated will be given away during this event.		

Joint Event Organizations

None

Knox - Total Approved in this County 7

Alzheimer's Association Eastern Tennessee Chapter

FEIN	62-1206312	Contact Person	Janice Wade Whitehead
Event Address	510 Union Avenue, Knoxville, TN 37902		
Event Date	9/7/2004		
Event Name	Alzheimer's Association Golf Ball Drop		
Event Type	Raffle		
Event Description	Numbered golf balls are dropped onto a golf green with the winner having the first ball in the hole or the ball nearest the hole.		

Joint Event Organizations

None

American Cancer Society

FEIN	64-0329009	Contact Person	Elaine Gordon
Event Address	871 Weisgarber Rd., Knoxville, TN 37909		
Event Date	5/20/2005		
Event Name	American Cancer Society's Relay for Life		
Event Type	Raffle		

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Event Description We will be raffling three items, one in each Grand Division. Tickets will be sold at all of our 100+ Relay for Life events held in TN in the spring of 2005

Joint Event Organizations

None

American Lebanese Syrian Associated Charities, Inc. (ALSAC)

FEIN	35-1044585	Contact Person	H. Randell Nichols
Event Address	6450 Papermill Drive, Knoxville, TN 37923		
Event Date	6/18/2005		
Event Name	St. Jude Dream Home		
Event Type	Raffle		
Event Description	Sale of tickets with the winning ticket(s) to be determined by a random drawing		

Joint Event Organizations

None

Boys & Girls Clubs of The Tennessee Valley

FEIN	62-0475743	Contact Person	John Lee
Event Address	South Knoxville Bridge on Tennessee River/Henley Bridge, Knoxville, TN 37921		
Event Date	8/7/2004		
Event Name	Great Knoxville Rubber Duck Race		
Event Type	Raffle		
Event Description	Individuals "adopt" rubber ducks for \$5.00 each. The ducks are dropped in the Tennessee River from a bridge. They float down river to the duck trap. Winners are determined by the order the ducks are caught in the trap.		

Joint Event Organizations

None

East Tennessee Public Communications Corporation

FEIN	62-1173293	Contact Person	Jim Tindell
Event Address	1611 East Magnolia Avenue (Television Studios), Knoxville, TN 37917		
Event Date	3/30/2005		
Event Name	Your New House		
Event Type	Reverse Raffle		
Event Description	We plan to sell chances (tickets) to a set number of participants for a chance to win a house and/or other prizes.		

Joint Event Organizations

Helen Ross McNabb Mental Health Foundation, Inc.

Helen Ross McNabb Mental Health Foundation, Inc.

FEIN	23-7213935	Contact Person	Steve Jenkins
Event Address	1611 E. Magnolia Avenue (Television Studios), Knoxville, TN 37917		
Event Date	3/30/2005		

THURSDAY, MAY 13, 2004 -- 89TH LEGISLATIVE DAY

Event Name Your new house
Event Type Reverse Raffle
Event Description We plan to sell chances (tickets) to a set number of participants for a chance to win a house and/or other prizes.

Joint Event Organizations

East Tennessee Public Communications Corporation

Knoxville Zoological Gardens, Inc.

FEIN 62-1034633 **Contact Person** Micah Herren
Event Address 3500 Knoxville Zoo Dr., Knoxville, TN 37914
Event Date 10/30/2004
Event Name gi-Raffle
Event Type Raffle
Event Description Tickets will be sold to zoo visitors and the general public. On October 30th winners will be drawn and notified within seven days. There will be a grand prize (vehicle) and some second-tier prizes.

Joint Event Organizations

None

Madison - Total Approved in this County 1

Jackson Symphony League

FEIN 62-1205109 **Contact Person** Fran Goldman
Event Address 400 S. Highland Avenue, Jackson, TN 38301
Event Date 12/4/2004
Event Name Christmas Auction Raffle
Event Type Raffle
Event Description Tickets will be sold in exchange for a chance to win a group of prizes to be determined.

Joint Event Organizations

None

Maury - Total Approved in this County 1

James K. Polk Memorial Association

FEIN 62-0528216 **Contact Person** Julia West
Event Address 4682 Bass Alderson Road, Santa Fe, TN 38482
Event Date 9/25/2004
Event Name James K. Polk Memorial Assn Dinner Dance
Event Type Raffle
Event Description We will be selling chances for a plasma T.V.

Joint Event Organizations

None

McMinn - Total Approved in this County 1

Swift Museum Foundation, Inc.

FEIN	62-1048065	Contact Person	Charles E. Nelson
Event Address	McMinn County Airport #4, County Rd. 552, Athens, TN 37303		
Event Date	5/28/2005		
Event Name	Fund Raising for "The Building Fund" (new museum)		
Event Type	Raffle		
Event Description	995 tickets sold with a public drawing to determine the winner of one aircraft		

Joint Event Organizations

None

Shelby - Total Approved in this County 5

American Cancer Society

FEIN	64-0329009	Contact Person	Elaine Gordon
Event Address	1378 Union Ave., Memphis, TN 38104		
Event Date	5/20/2005		
Event Name	American Cancer Society's Relay for Life		
Event Type	Raffle		
Event Description	We will be raffling three items, one in each Grand Division. Tickets will be sold at all of our 100+ Relay for Life events held in TN in the spring of 2005		

Joint Event Organizations

None

American Lebanese Syrian Associated Charities, Inc. (ALSAC)

FEIN	35-1044585	Contact Person	H. Randell Nichols
Event Address	1960 Union Avenue, Memphis, TN 38138		
Event Date	6/18/2005		
Event Name	St. Jude Dream Home		
Event Type	Raffle		
Event Description	Sale of tickets with the winning ticket(s) to be determined by a random drawing		

Joint Event Organizations

None

Church Health Center of Memphis, Inc.

FEIN	58-1716113	Contact Person	Ann W. Langston
Event Address	1210 Peabody Avenue, Memphis, TN 38104		
Event Date	10/11/2004		
Event Name	Go for the Green		
Event Type	Raffle		
Event Description	Tickets will be sold, and a drawing will be held in which one to two ticket numbers will be randomly selected from the pot of all ticket entries.		

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Joint Event Organizations

None

Memphis Development Foundation

FEIN	62-0983983	Contact Person	Pat Halloran
Event Address	203 South Main St., Memphis, TN 38103		
Event Date	11/13/2004		
Event Name	Orpheum Theatre Raffle		
Event Type	Raffle		
Event Description	Raffle of three high priced items for \$100.00 per ticket		

Joint Event Organizations

None

Memphis Redbirds Baseball Foundation

FEIN	62-1702749	Contact Person	Garry Contrey
Event Address	200 Union Ave. (AutoZone Park), Memphis, TN 38103		
Event Date	9/6/2004		
Event Name	Memphis Redbirds Baseball Foundation Fundraising Raffle		
Event Type	Raffle		
Event Description	Tickets will be sold as chances to win a car/truck/SUV. Cost of each ticket will be \$5.00		

Joint Event Organizations

None

Sumner - Total Approved in this County 1

Sumner Regional Health Systems Foundation, Inc.

FEIN	58-2185850	Contact Person	Janet E. Leonard
Event Address	1639 Nashville Pike, Fairvue Plantation, Gallatin, TN 37066		
Event Date	10/11/2004		
Event Name	Sumner Foundation Charity Raffle		
Event Type	Raffle		
Event Description	Selling of tickets for a large prize drawing.		

Joint Event Organizations

None

Washington - Total Approved in this County 4

Dawn of Hope Foundation

FEIN	59-1774736	Contact Person	Carol Sloan
Event Address	Holiday Inn, 101 West Springbrook Drive, Johnson City, TN 37604-1715		
Event Date	4/15/2005		
Event Name	The \$10,000 Big Spring Break Drawing		
Event Type	Reverse Raffle		

THURSDAY, MAY 13, 2004 -- 89TH LEGISLATIVE DAY

Event Description Reverse raffle with a cash prize of \$10,000. The plan calls for the Foundation to sell no more than 500 tickets. Drawing will feature smaller cash prizes for the 50th, 100th, 150th, 200th, 250th, and 300th tickets drawn. Last ticket wins \$10,000 cash prize.

Joint Event Organizations

None

Hands on Regional Museum

FEIN	62-1282542	Contact Person	Duffle Jones
Event Address	315 E. Main Street, Johnson City, TN 37601		
Event Date	11/19/2004		
Event Name	Night of Lights Raffle		
Event Type	Raffle		
Event Description	Chances to be sold. A drawing will be held to determine the winner. The winning number will be awarded \$250. The winner must be present to win.		

Joint Event Organizations

None

Mountain States Foundation

FEIN	58-1418862	Contact Person	Larry S. Warkoczeski
Event Address	2001 Millennium Place, Johnson City, TN 37604		
Event Date	1/29/2005		
Event Name	Spirit Gala		
Event Type	Raffle		
Event Description	Tickets will be sold to adults for the chance of winning an automobile. One winner will be drawn from all tickets purchased.		

Joint Event Organizations

None

Southern Appalachian Ronald McDonald House Charities, Inc.

FEIN	62-1578123	Contact Person	E. Rowena Bailey
Event Address	418 North State of Franklin Road, Johnson City, TN 37604		
Event Date	10/29/2004		
Event Name	Southern Appalachian Ronald McDonald House Reverse Raffle		
Event Type	Reverse Lottery, Raffle		
Event Description	Sell tickets between July-Oct., 2004. Last ticket drawn will receive GMC Envoy; 2nd to last ticket will receive 2 suite tickets to 2005 Fall "Bristol" race; 1st ticket drawn will receive 2 suite tickets to the spring "Bristol" race.		

Joint Event Organizations

None

**Tennessee Secretary of State's Office
Charitable Organizations - Gaming Event Applications
Omnibus List**

Year Ending: 6/30/2005
Approved As Amended During May 6-10, 2004

Davidson - Total Approved in this County 7

American Lung Association

FEIN 62-0517560 **Contact Person** Boyd Romines
Event Address One Vantage Way, Suite B130, Nashville, TN 37228
Event Date 2/25/2005
Event Name The Tennessee Football Pool OR Try Your Luck For Healthy Lungs
Event Type Entrants will guess total football scores for 2004-05 season. Closest guess wins
Event Description Entrants will guess total combined points scored by all major TN college and pro football teams over 2004-05 season. If correct number entrant will be winner. If multiple entrants guess correct number drawing will be held among those to determine winner.

Joint Event Organizations

None

Andrew Jackson Police Youth Camp, Inc.

FEIN 62-1443335 **Contact Person** Ed Mason
Event Address 2611 McGavock Pk., Nashville, TN 37214
Event Date 10/15/2004
Event Name Andrew Jackson Police Youth Camp Annual Raffle
Event Type Raffle
Event Description Will sell 1,000 tickets for \$100.00 for (1)-\$25,000.00 prize, (15)-\$1000.00 prizes, and (20)-\$500.00 prizes. Also will sell (1,000)-\$10.00 tickets with a 50/50 raffle

Joint Event Organizations

None

Community Foundation of Middle Tennessee, Inc. (The)

FEIN 62-1471789 **Contact Person** Ellen E. Lehman
Event Address 3833 Cleghorn Ave., Nashville, TN 37215
Event Date 6/1/2005
Event Name Bring Your Suitcase
Event Type Raffle
Event Description Raffle for all expense paid trip

Joint Event Organizations

None

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Tennessee State Museum Foundation (TSMF)

FEIN	51-0200584	Contact Person	Lori Thurston-Smith
Event Address	4403 Murphy Road (Park Café Restaurant), Nashville, TN 37209		
Event Date	5/5/2005		
Event Name	By The Numbers		
Event Type	Raffle		
Event Description	Raffle tickets will be sold to the public for the opportunity to win works of art produced by Tennessee artist in addition to goods and services provided by local retailers. Select staff & board members will draw tickets & announce winners' names.		

Joint Event Organizations

None

Tennessee State Soccer Association

FEIN	58-1571304	Contact Person	Manuel J. Sanchez
Event Address	315 Fourth Street (Double Tree Hotel), Nashville, TN 37219		
Event Date	2/27/2005		
Event Name	Tennessee Soccer 2005 Car Raffle		
Event Type	Raffle		
Event Description	5,000 tickets to be sold for \$20. 1st prize will be a new BMW Z4; 2nd prize - \$2500; 3rd prize - \$1000, 4th - \$500; and 20 consolation prizes of TS logo items.		

Joint Event Organizations

None

University School of Nashville

FEIN	23-7424429	Contact Person	LeeAnn Merrick
Event Address	2000 Edgehill Avenue, Nashville, TN 37212		
Event Date	10/24/2004		
Event Name	Artclectic		
Event Type	Raffle		
Event Description	Tickets will be sold during a fundraising event; drawing held the last day.		

Joint Event Organizations

None

Women's Resource Center, Inc.

FEIN	62-1834215	Contact Person	Janice S. Thomas
Event Address	1112 - 8th Avenue South, Nashville, TN 37203		
Event Date	12/20/2004		
Event Name	WRC - Raffle		
Event Type	Raffle		
Event Description	Sell tickets for chance to win trip and/or vehicle		

Joint Event Organizations

None

Giles - Total Approved in this County 1

Community Development Center

FEIN	23-7174117	Contact Person	Sarah W. Hunt
Event Address	Stadium Street (Trail of Tears Interpretive Center), Pulaski, TN 38478		
Event Date	9/18/2004		
Event Name	Helping Hands Rubber Duck Race		
Event Type	Raffle		
Event Description	Rubber duck race to be held in Pulaski, TN.		

Joint Event Organizations

None

Hamblen - Total Approved in this County 1

Youth Emergency Shelter, Inc.

FEIN	58-1325711	Contact Person	Eddie R. Davis
Event Address	320 West Third North Street (Youth Emergency Shelter), Morristown, TN 37814		
Event Date	12/14/2004		
Event Name	Annual YES Christmas Cash Raffle		
Event Type	Raffle		
Event Description	Tickets will be sold and a drawing held 12-14-2004. Three Prizes will be awarded. First prize \$5,000.00, Second prize \$3,000.00 and Third prize \$2,000.00		

Joint Event Organizations

None

Hamilton - Total Approved in this County 5

Chattanooga Kiwanis Youth Foundation, Inc.

FEIN	62-0261494	Contact Person	Erin Hankins
Event Address	Tennessee River - Riverside Drive, Chattanooga, TN 37402		
Event Date	6/18/2005		
Event Name	Kiwanis Duck Race		
Event Type	Duck Race		
Event Description	Ticket purchase entitles buyer a chance to win prize if ticket number corresponds to the number of the duck that crosses finish line first, second, or third		

Joint Event Organizations

None

Chattanooga Symphony and Opera

FEIN	62-6002098	Contact Person	John Wehrle
Event Address	709 Broad Street (Tivoli Theatre), Chattanooga, TN 37402		

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Event Date 12/18/2004
Event Name 20th Anniversary Celebration
Event Type Raffle
Event Description This will be a raffle of 1-3 luxury items, in honor of the 20th anniversary of the merging of the symphony and opera companies in Chattanooga

Joint Event Organizations

None

Friends of the Zoo, Inc.

FEIN 58-1661267 **Contact Person** Dardenelle Long
Event Address 1101 McCallie Avenue, Chattanooga, TN 37404
Event Date 12/18/2004
Event Name Holiday Lites
Event Type Raffle
Event Description Raffle of zoo-related items

Joint Event Organizations

None

Kidney Foundation of the Greater Chattanooga Area, Inc.

FEIN 62-1410005 **Contact Person** Jennifer McGlohon
Event Address 321 Chestnut Street, Chattanooga, TN 37402
Event Date 12/9/2004
Event Name Kidney Foundation Holiday Party
Event Type Raffle
Event Description Sale of raffle tickets for items acquired by the Kidney Foundation of the Greater Chattanooga Area for this event.

Joint Event Organizations

None

Orange Grove Center, Inc.

FEIN 62-0549365 **Contact Person** Michael L. Cook
Event Address 615 Derby Street, Chattanooga, TN 37404-1632
Event Date 4/29/2005
Event Name Orange Grove Center Raffle Event
Event Type Raffle
Event Description A raffle will be conducted whereby tickets will be sold and on the event date a ticket will be randomly selected from among the purchased tickets to determine a winner.

Joint Event Organizations

None

Jefferson - Total Approved in this County 1

Celebrity Gardens Foundation

FEIN	62-1759815	Contact Person	Dr. Frank M. Clamon
Event Address	115 W. Dumplin Valley Rd (Jefferson County High School), Dandridge, TN 37725		
Event Date	10/16/2004		
Event Name	Cow Drop Raffle		
Event Type	Raffle		
Event Description	Public buys raffle ticket; winner determined by certain natural activity by bounce on athletic field.		

Joint Event Organizations

None

Knox - Total Approved in this County 2

East Tennessee Children's Hospital Association, Inc.

FEIN	62-6002604	Contact Person	Robert F. Koppel
Event Address	701 Henley Street (Knoxville Convention Center), Knoxville, TN 37901		
Event Date	11/28/2004		
Event Name	Fantasy Of Trees Gaming Event		
Event Type	Raffle		
Event Description	Raffle tickets will be sold to the public attending Fantasy of Trees. A drawing will be held the last day of the event and the winner will receive a decorated designer tree.		

Joint Event Organizations

None

Sertoma Center, Inc.

FEIN	62-0818599	Contact Person	Becky Duncan Massey
Event Address	626 Simmons Road (Fairways & Greens Golf Center), Knoxville, TN 37932		
Event Date	10/16/2004		
Event Name	The Great Sertoma Ball Drop		
Event Type	Raffle		
Event Description	Will sell chances on numbered golf balls that will be dropped from a helicopter. The ball that goes into the hole or closest to the hole will win a car.		

Joint Event Organizations

None

Macon - Total Approved in this County 1

Macon County Education Foundation

FEIN	62-1634533	Contact Person	J. Michael Wells
Event Address	1805 Tanyard Road, Lafayette, TN 37083		
Event Date	10/7/2004		

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Event Name Celebrity Waiter Dinner
Event Type Raffle
Event Description One or more items will be raffled. Tickets/chances will be sold not more than 120 days prior and during the event. Drawing(s) will be held and winners announced at the event.

Joint Event Organizations
None

Montgomery - Total Approved in this County 2

Clarksville-Montgomery County Museum

FEIN 58-1504427 **Contact Person** Ned P. Crouch
Event Address 200 S. Second St., Clarksville, TN 37040
Event Date 6/4/2005
Event Name Flying High
Event Type Draw down Raffle
Event Description Sell 100 tickets at \$100.00 each for the chance to win \$1000.00. Winner will be the last ticket drawn. Tickets drawn in batches of 10 at 30 minute intervals, each 10th ticket in the series of 10 wins a donated prize. Final 2 could share 1,000 if agree.

Joint Event Organizations
None

Progressive Directions, Inc.

FEIN 62-0984796 **Contact Person** Jay Albertia
Event Address 1249 Paradise Hill Road, Clarksville, TN 37040
Event Date 3/19/2005
Event Name Flying High with PDI
Event Type Raffle
Event Description Tickets will be sold for a chance to win a prize. This raffle will be part of a fundraising event, where a prize will be given out at the event after the ticket is drawn.

Joint Event Organizations
None

Rutherford - Total Approved in this County 2

Charity Circle of Murfreesboro

FEIN 23-7158367 **Contact Person** Kathy Jones
Event Address 1830 NW Broad St. (Stones River Country Club), Murfreesboro, TN 37129
Event Date 4/30/2005
Event Name Ugly Duckling Ball
Event Type Reverse Raffle
Event Description We will sell up to 1000 tickets for \$50.00 each & post each ticket # on a board. We will draw #'s throughout evening. Last ticket # drawn will be the winner.

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Joint Event Organizations

None

Murfreesboro Philharmonic Symphony Orchestra

FEIN	58-1480889	Contact Person	Lawrence Harvin
Event Address	1830 NW Broad Street (Stones River Country Club), Murfreesboro, TN 37129		
Event Date	3/5/2005		
Event Name	Symphony Gala		
Event Type	Raffle		
Event Description	A gala evening with dinner, entertainment and a raffle consisting of donated prizes, ticket sales for drawing of said prizes.		

Joint Event Organizations

None

Sevier - Total Approved in this County 1

United Way of Sevier County

FEIN	62-1225078	Contact Person	Lisa Y. Butler
Event Address	River Road, Gatlinburg, TN 37738		
Event Date	9/18/2004		
Event Name	The Gatlinburg Shark Race		
Event Type	Raffle		
Event Description	Donors purchase floatable sharks for a chance. Sharks are released into local river, first shark to finish wins the grand prize.		

Joint Event Organizations

None

Shelby - Total Approved in this County 6

Family Services of the Mid-South

FEIN	62-0476289	Contact Person	Brian J. O'Malley
Event Address	2430 Poplar Avenue, Memphis, TN 38112		
Event Date	11/11/2004		
Event Name	Family Services Car Raffle		
Event Type	Raffle		
Event Description	Raffle off car, sell tickets at Mid-South Fair for \$1.00. Announce winner at Gala Dinner in November, 2004.		

Joint Event Organizations

None

Junior League of Memphis

FEIN	62-0492165	Contact Person	Kim MacQueen
Event Address	7777 Walnut Grove Rd., Memphis, TN 38120		
Event Date	10/30/2004		

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Event Name Merry Marketplace
Event Type Raffle
Event Description Tickets will be sold prior to/and at Holiday Market for "chance" to win in final drawing at conclusion of event for grand prize(s).

Joint Event Organizations

None

Make-A-Wish Foundation of the Mid-South, Inc.

FEIN 62-1253153 **Contact Person** Debbie Keenum
Event Address 1868 Talisker Drive, Cordova, TN 38018
Event Date 10/17/2004
Event Name Wish Home
Event Type Raffle
Event Description Tickets sold to have a chance at winning a new home.

Joint Event Organizations

None

Memphis Orchestral Society, Inc.

FEIN 62-6015885 **Contact Person** Ryan Fleur
Event Address 255 N. Main Street (Cannon Center for the Performing Arts), Memphis, TN 38103
Event Date 1/22/2005
Event Name Memphis Symphony League Ball
Event Type Raffle
Event Description A random drawing to select the winner of a luxury automobile valued at \$40,000.

Joint Event Organizations

None

Muscular Dystrophy Association

FEIN 13-1665552 **Contact Person** Laura Brasell
Event Address 3145 Player's Club Parkway, Memphis, TN 38125
Event Date 8/21/2004
Event Name Run And Raffle
Event Type Raffle
Event Description Raffle Tickets will be sold for an opportunity to win a vehicle and other prizes

Joint Event Organizations

None

The Phoenix, Inc.

FEIN 23-7122048 **Contact Person** Daniel W. Van Horn
Event Address 1346 Central Avenue, Memphis, TN 38104
Event Date 2/20/2005

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Event Name Mardi Gras Raffle
Event Type Raffle
Event Description We'll hold a raffle for either \$1,000.00 cash or a prize package for a total of \$1,000.00 value. Tickets will be \$5.00 each.

Joint Event Organizations

None

Sullivan - Total Approved in this County 1

Big Brothers Big Sisters of Greater Tri-Cities, Inc.

FEIN 58-1385534 **Contact Person** Joel Walker
Event Address 1550 Fort Henry Drive, Kingsport, TN 37664
Event Date 7/30/2004
Event Name Big Brothers Big Sisters Reverse Raffle
Event Type Raffle
Event Description 200 tickets will be sold at \$125 prior to the night of the event. On the night of the event the tickets will be drawn and the holder of the last ticket will receive \$10,000. (Token prizes will be awarded throughout the raffle)

Joint Event Organizations

None

Sumner - Total Approved in this County 1

Green Wave Quarterback Club

FEIN 58-1776252 **Contact Person** Rick Murphy
Event Address 1501 East Main Street (Gallatin Country Club), Gallatin, TN 37066
Event Date 8/15/2004
Event Name Green Wave Quarterback Club Reverse Auction & Raffle
Event Type Raffle
Event Description Following meal we will pull numbered tickets with the final 3-5 tickets winning cash prizes

Joint Event Organizations

None

Washington - Total Approved in this County 2

Johnson City Symphony Orchestra

FEIN 62-0910261 **Contact Person** Joel L. Phillips
Event Address 2001 Millennium Place (Millennium Center), Johnson City, TN 37604
Event Date 1/21/2005
Event Name Pops Benefit Gala
Event Type Cash Raffle
Event Description We plan to sell 300-700 tickets at \$25.00 each, with a cash prize of approximately 25%-35% of total ticket sales to the winning ticket holder.

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Joint Event Organizations

None

National Kidney Foundation of East Tennessee

FEIN	62-0886595	Contact Person	Helen Harb
Event Address	2011 N. Roan Street (The Mall at Johnson City), Johnson City, TN 37601		
Event Date	9/19/2004		
Event Name	National Kidney Foundation of East TN Raffle		
Event Type	Raffle		
Event Description	Raffle of a passenger vehicle.		

Joint Event Organizations

None

Williamson - Total Approved in this County 3

Heritage Foundation of Franklin and Williamson County

FEIN	23-7042596	Contact Person	Mary Pearce
Event Address	230 Franklin Road (The Factory at Franklin), Franklin, TN 37064		
Event Date	8/21/2004		
Event Name	Preservation Market Place		
Event Type	Raffle		
Event Description	Raffle of item under \$25,000 (example car or antique) at Preservation Market Place charity auction.		

Joint Event Organizations

None

Junior Auxiliary of Franklin

FEIN	58-1448684	Contact Person	Angela McKee
Event Address	209 Scotsman Lane, Franklin, TN 37064		
Event Date	8/14/2004		
Event Name	Freezer Full of Food Raffle		
Event Type	Raffle		
Event Description	Raffle tickets will be sold providing purchaser the opportunity to win a freezer stocked with frozen food including meats, desserts, etc.		

Joint Event Organizations

None

O'More College of Design

FEIN	62-0814498	Contact Person	Dr. K. Mark Hilliard
Event Address	423 South Margin Street (O'More College of Design), Franklin, TN 37064		
Event Date	10/2/2004		
Event Name	Les Arts O'More		
Event Type	Raffle		

Event Description We plan to raffle interior design services of one room to include carpet, paint, and furnishings.

Joint Event Organizations
None

Wilson - Total Approved in this County 1

Easter Seals Tennessee, Inc.

FEIN	62-0504893	Contact Person	Jayne Perkins
Event Address	6300 Benders Ferry Road, Mount Juliet, TN 37122		
Event Date	10/23/2004		
Event Name	Easter Seals Raffle		
Event Type	Raffle		
Event Description	People will purchase tickets to win a boat.		

Joint Event Organizations
None

Senator Crowe moved that the Committee on Calendar's Report on Qualified Annual Events, pursuant to Tennessee Charitable Gaming Implementation Law and Article XI, Section 5 of the Constitution of Tennessee, be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senate Bill No. 2152 -- Taxes, Privilege -- Increases maximum privilege tax on litigation in all civil and criminal cases in Jefferson County from \$10.00 to \$50.00. Amends TCA Section 67-4-601.

Senator Henry moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting in the amendatory language of Section 1 the language "fifty dollars (\$50.00) per case" and by substituting instead the language "twenty-five dollars (\$25.00) per case".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2152**, as amended, passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kurita, Kyle, McNally, Miller, Norris, Person, Ramsey, Trail, Williams and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

Senator Beavers moved that **Senate Bill No. 3337** be placed on the calendar for Wednesday, May 19, 2004, which motion prevailed.

FURTHER ACTION ON HOUSE BILL NO. 3512

On motion of Senator Cooper, Amendment No. 2 was withdrawn.

Senator Jackson moved to amend as follows:

AMENDMENT NO. 3

AMEND by adding the following new subsection (e) to the third unnumbered section of the amendatory language of Section 1, as amended:

(e) Venue for a violation of this section shall be in the county where the violation occurred or the county in which the violator resides.

On motion of Senator Jackson, Amendment No. 3 was withdrawn.

On motion of Senator Bryson, Amendment No. 4 was withdrawn.

Thereupon, **House Bill No. 3512** passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

MOTION

Senator Kyle moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution No. 1178**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 1178 -- Memorials, Interns -- Holly Leigh Barnard.

On motion of Senator Kyle, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 1178** was adopted.

A motion to reconsider was tabled.

CALENDAR NO. 1

FURTHER ACTION ON SENATE BILL NO. 2915

On motion, Amendment No. 1 was adopted.

On motion of Senator Harper, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 2915**, as amended, passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, Miller, Norris, Person, Ramsey, Trail, Williams and Mr. Speaker Wilder--29.

A motion to reconsider was tabled.

MOTION

Senator Ford moved that Rule 83 be suspended for the purpose of allowing the Committee on General Welfare, Health and Human Resources to meet today, immediately after Session, to consider **Senate Bill No. 3522**, which motion prevailed.

MOTION

Senator Williams moved that Rule 83 be suspended for the purpose of allowing the Committee on Transportation to meet today, immediately after Session, to consider **Senate Bill No. 1003**, which motion prevailed.

MOTION

Senator Person moved that Rule 83 be suspended for the purpose of allowing the Committee on Judiciary to meet today, immediately after the conclusion of the Committee on General Welfare, Health and Human Resources and the Committee on Transportation meetings, to consider **House Joint Resolution No. 818** and **Senate Bills Nos. 2366, 2771 and 2800**, which motion prevailed.

NOTICE

Pursuant to Rule 44, notice was given that the following bill was returned from the House of Representatives amended. Under the rule, the bill lies over.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 601, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to request the return of Senate Bill No. 601, for further consideration.

BURNEY T. DURHAM,
Chief Clerk.

MOTION

Senator Kyle moved that **Senate Bill No. 601** be returned to the House, which motion prevailed.

NOTICE

Pursuant to Rule 44, notice was given that the following bill was returned from the House of Representatives amended. Under the rule, the bill lies over.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2072, substituted for House Bill on same subject, amended, and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MOTION

Senator Henry moved that the Committee on Finance, Ways and Means be allowed to meet today at 12:00 p.m., which motion prevailed.

STANDING COMMITTEE REPORTS

GENERAL WELFARE, HEALTH AND HUMAN RESOURCES

MR. SPEAKER: Your Committee on General Welfare, Health and Human Resources begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 3522 with amendment.

FORD, Chairperson
May 13, 2004

The Speaker announced that he had referred Senate Bill No. 3522 with amendment to Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2366 with amendment.

PERSON, Chairperson
May 13, 2004

The Speaker announced that he had referred Senate Bill No. 2366 with amendment to Committee on Calendar.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1368 with amendments, 2143 with amendment, 2254 with amendment, 2664 with amendment, 2929, 2973 with amendment, 3130 with amendment, 3297, 3314 with amendment, 3355 and 3424 with amendments; Senate Resolution No. 223; Senate Joint Resolutions Nos. 747 and 1004; and House Joint Resolution No. 978.

HENRY, Chairperson
May 13, 2004

The Speaker announced that he had referred Senate Bills Nos. 1368 with amendments, 2143 with amendment, 2254 with amendment, 2664 with amendment, 2929, 2973 with amendment, 3130 with amendment, 3297, 3314 with amendment, 3355 and 3424 with amendments; Senate Resolution No. 223; Senate Joint Resolutions Nos. 747 and 1004; and House Joint Resolution No. 978 to Committee on Calendar.

RECALL OF BILLS

On motion of Mr. Speaker Wilder, **Senate Bills Nos. 2255 and 2328** were recalled from the Committee on Finance, Ways and Means.

REFERRAL

Mr. Speaker Wilder moved that Senate Bills Nos. 2255 and 2328 be referred to the Committee on Calendar, which motion prevailed.

MOTION

On motion of Senator Ford, his name was added as prime sponsor of **Senate Bill No. 2785**.

On motion of Senator Kilby, his name was added as sponsor of **Senate Bill No. 2979**.

On motion of Senator Cooper, his name was added as sponsor of **Senate Bills Nos. 2277, 2861, 3342 and 3424; and Senate Joint Resolution No. 1135**.

On motion of Senator McLeary, his name was added as sponsor of **House Joint Resolution No. 978**.

On motion of Senator Miller, his name was added as sponsor of **House Joint Resolutions Nos. 1002, 1079 and 1207**.

On motion of Senator Kurita, her name was added as sponsor of **Senate Bill No. 3394**.

On motion, all Senators' names were added as sponsors of **Senate Joint Resolutions Nos. 1125, 1127, 1136, 1139 and 1142; and Senate Bill No. 2725**.

On motion of Senator Bryson, his name was added as sponsor of **Senate Bill No. 3045 and House Joint Resolution No. 1184**.

On motion of Senator Harper, her name was added as sponsor of **House Joint Resolution No. 1184 and Senate Bill No. 2725**.

On motion of Senator Henry, his name was added as sponsor of **House Joint Resolutions Nos. 1079 and 1184**.

On motion of Senator Haynes, his name was added as sponsor of **House Joint Resolution No. 1184**.

On motion of Senator Kilby, Mr. Speaker Wilder and Senator Ramsey, their names were added as sponsors of **House Bill No. 3512**.

On motion of Senator McNally, his name was added as sponsor of **Senate Bill No. 2602**.

On motion of Senators Burchett, Atchley and Burks, their names were added as sponsors of **House Joint Resolution No. 1076**.

On motion of Senator Ford, his name was added as sponsor of **House Joint Resolutions Nos. 740 and 861**.

On motion of Senator Beavers, her name was added as sponsor of **Senate Bill No. 3528 and House Joint Resolution No. 1314**.

ENGROSSED BILLS

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 1154 and 1175, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2152, 2915 and 3045; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1142 and 1143; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 1152, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 1178, and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2636, 2754, 2959, 2960, 3128, 3145, 3211, 3400, 3606, 3607, 3609, 3610, 3611 and 3613; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3531, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 64, 76, 235, 814, 1524, 2209, 2350, 2352, 2392, 2652, 3104, 3182, 3186, 3467, 3468, 3483, 3496 and 3527; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3616, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2160, 2519, 2911, 2978, 3017, 3545, 3601 and 3615; passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 2861, passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 740, 776, 890, 1062, 1088, 1136, 1203, 1249, 1250, 1251, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279 and 1280; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 978, 1012, 1013, 1078, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247 and 1248; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 940, 977 and 1269; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 1281, 1282, 1284, 1285 and 1286; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3285, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2365, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 3430, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 990, 2051, 2240, 2285, 3170 and 3358; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 236, 2063, 2266, 2279, 2373, 2468, 2581 and 3506; substituted for House Bills on same subjects and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1083, substituted for House Bill on same subject and passed by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1066, 1067, 1068, 1069, 1070, 1071, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1119, 1120, 1141 and 1145; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1149, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1152 and 1154, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 1175, concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

May 12, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 1066, 1067, 1068, 1069, 1070, 1071, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1119, 1120, 1141 and 1145; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENROLLED BILLS

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolution No. 221; and Senate Joint Resolutions Nos. 1149, 1152, 1154 and 1175; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 39, 2141, 2225, 2260, 2263, 2327, 2338, 2353, 2653, 2848, 3338, 3404, 3459, 3479, 3495, 3529, 3535 and 3590; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 861, 1184 and 1257; for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

SIGNED

May 12, 2004

The Speaker announced that he had signed the following: Senate Bills Nos. 135, 1884, 2077, 2122, 2148, 2205, 2300, 2346, 2371, 2474, 2477, 2556, 2667, 3120, 3177, 3258, 3359, 3371 and 3455.

SIGNED

May 12, 2004

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 1066, 1067, 1068, 1069, 1070, 1071, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1119, 1120, 1141 and 1145.

SIGNED

May 12, 2004

The Speaker announced that he had signed the following: House Bills Nos. 1004, 2063, 2162, 2366, 2515, 2539, 2618, 2635, 2656, 2666, 2783, 2830, 2875, 2880, 2953, 2957, 3062, 3131, 3229, 3240, 3263, 3264, 3289, 3391, 3397, 3463, 3484, 3513, 3523, 3593, 3594, 3595 and 3596.

SIGNED

May 13, 2004

The Speaker announced that he had signed the following: Senate Resolution No. 221; and Senate Joint Resolutions Nos. 1149, 1152, 1154 and 1175.

SIGNED

May 13, 2004

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 861, 1184 and 1257.

MESSAGE FROM THE HOUSE

May 12, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1066, 1067, 1068, 1069, 1070, 1071, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1119, 1120, 1141 and 1145; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 135, 1884, 2077, 2122, 2148, 2205, 2300, 2346, 2371, 2474, 2477, 2556, 2667, 3120, 3177, 3258, 3359, 3371 and 3455; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

May 13, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 1149, 1152, 1154 and 1175; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 12, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 243, 823, 1539, 1600, 2119, 2162, 2207, 2252, 2263, 2314, 2325, 2409, 2524, 2616, 2681, 2832, 2931, 3008, 3139, 3215, 3228, 3235, 3257, 3391, 3466 and 3502; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 12, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 991, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1043, 1045, 1046, 1047, 1048, 1049, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1063, 1064, 1065, 1140, 1144, 1146 and 1150; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 12, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 1066, 1067, 1068, 1069, 1070, 1071, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1119, 1120, 1141 and 1145; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 135, 1884, 2077, 2122, 2148, 2205, 2300, 2346, 2371, 2474, 2477, 2556, 2667, 3120, 3177, 3258, 3359, 3371 and 3455; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 13, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 1149, 1152, 1154 and 1175; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

May 13, 2004

Honorable Phil Bredesen
Governor of Tennessee
State Capitol
Nashville, Tennessee 37243

Dear Governor Bredesen:

I have been requested by the Senate to recall Senate Bill No. 3305, for further consideration.

Thank you for your consideration. With best wishes, I am

Yours truly,

/s/ Russell A. Humphrey
Chief Clerk of the Senate

MESSAGE FROM THE GOVERNOR

May 13, 2004

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 1032, 1033, 1034, 1035, 1038, 1039, 1045, 1046, 1047, 1048, 1049, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1063, 1144, 1145 and 1146; with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

May 14, 2004

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 563, 2236, 2242, 2260, 2305, 2416, 2596, 2764, 3244, 3259 and 3496; and Senate Joint Resolutions Nos. 798, 860, 991, 1031, 1036, 1037, 1040, 1041, 1043, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1119, 1120, 1140, 1141, 1149, 1150, 1152 and 1154; with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR #1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, May 19, 2004: House Joint Resolutions Nos. 940, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1226, 1227, 1228, 1229, 1230, 1231, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1253, 1254, 1255, 1256, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1284, 1285 and 1286; Senate Joint Resolutions Nos. 1147, 1148, 1151, 1153, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1176 and 1177; and Senate Resolutions Nos. 218, 219, 220, 222, 224, 225, 226 and 227.

This the 17th day of May, 2004.
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR #2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, May 19, 2004: Senate Bills Nos. 2734, 2810, 2929, 2987, 3180, 3297, 3478 and 3516; Senate Joint Resolutions Nos. 1004 and 1021; Senate Resolution No. 223; and House Joint Resolutions Nos. 625, 837, 870, 926, 930, 957, 978 and 1006.

This the 17th day of May, 2004.
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Wednesday, May 19, 2004: Senate Bills Nos. 3482, 3504, 3510, 3513, 3514, 3515, 3518, 3519, 3523 and 3524.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, May 19, 2004: Senate Joint Resolution No. 800;

THURSDAY, MAY 13, 2004 -- 89TH LEGISLATIVE DAY

House Joint Resolution No. 990; Senate Bills Nos. 282, 555, 586, 827, 1012, 1202, 1364, 1368, 1482, 1686, 2143, 2167, 2193, 2206, 2228, 2254, 2255, 2264, 2312, 2328, 2347, 2366, 2382, 2395, 2431, 2448, 2473, 2589, 2599, 2628, 2664, 2794, 2811, 2813, 2850, 2862, 2922, 2935, 2973, 3017, 3031, 3034, 3077, 3094, 3150, 3203, 3288, 3295, 3314, 3355, 3364, 3390, 3393, 3395, 3410, 3413, 3428, 3449 and 3522; Senate Joint Resolutions Nos. 27 and 747; Senate Bills Nos. 2092, 2213, 2711, 2785, 2897, 2979, 3099, 3225 and 3337; and Senate Resolutions Nos. 158 and 217.

This the 17th day of May, 2004.
CROWE, Chairperson.

**SENATE
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Wednesday, May 19, 2004: Senate Bills Nos. 176, 2072, 2479, 2480, 2557, 2645, 2951, 2992 and 3115.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn pursuant to **Senate Joint Resolution No. 1175** until 9:00 a.m., Wednesday, May 19, 2004, which motion prevailed.